

INTRODUCTION

MUSLIM MINORITY ISSUES IN SRI LANKA

SRI LANKA MUSLIMS SEEK CONSTITUTIONAL SAFEGUARDS AND INTERNATIONAL SUPPORT.

Muslims of Sri Lanka, whose rights have been mercilessly trampled upon by Tamil terrorists and successive Sinhala majority governments seek constitutional safeguards and international support to protect our lives and properties in Muslim areas of historical habitation.

The



Today most of the Muslim Member of Parliament are Ministers and Deputy Ministers.

They have tackled Muslim issues from and within the scope of their party politics and have sidelined the Muslim issues to suit their own political agenda.

Muslims can no longer be at the receiving end losing more and more lives and properties in the most horrendous manner for no fault of ours.

There are a number of events which are occurring presently in Sri Lanka which directly affect the Muslim minorities and this is leading to unrest among the Muslim youths who simply cannot understand why the Government is not taking their concerns seriously.

If this state of affairs is allowed to continue unchecked we will have another looming problem of immense magnitude – that is, the possibility of Muslim youths taking to arms to resolve their grievances.

Al-Ceylan Muslim Documentation Centre - ACMDC has meticulously compiled authenticated documentation of the grievances of Sri Lanka Muslims as a result of Tamil militancy and discrimination by Sinhala majority Sri Lanka Government. A brief summary of Muslim minority issues in Sri Lanka is listed in this document for easy reference. For more details please visit our website: www.alceylanmuslimdc.lk

01. SRI LANKA MUSLIMS

We Muslims are proud of the fact that we are citizens of Sri Lanka, our mother land, where our racial ancestors, the Arabs originated the Sri Lanka Muslim race, more than Two Thousand Five Hundred (2,500) years ago. As people professing the religion of Islam we have been here for over 1,400 years.



Although Sri Lanka Muslims speak the Tamil Language, we are not ethnically Tamils. In Sri Lanka the Sinhalese call us “Yonaka” and the Tamils call us “Sonakar”. “Yon” and “Sonakam” means Arabia in Pali and Tamil languages respectively. We are the descendants of the people from Arabia – Arabs.

Muslims have always been loyal to the country and were in the forefront of the struggle – resisting the foreign invaders, winning back the lost freedom and consolidating the freedom won.

Muslims have fought together with the Sinhalese when Portuguese invaded Sri Lanka. Every resistant moment of Sinhalese had Muslims in their ranks. So much so that we became the target of persecution under all the colonial powers.

When the Muslims were expelled by the Portuguese from the Western coastal areas, the Sinhalese King Senarath settled the Muslims in strategically important areas of the Eastern Province to resist the invaders. These Muslims have since merged with those of the original Arab Settlers in the Eastern Province whose

ancient colony is described as “ARABITHTHA CIVITAS” in the 15th century Vatican Manuscript of Ptolemy’s Map.

The Dutch denied the Muslims even the freedom to practice our religion. For a period of roughly three centuries, between the arrival of the Portugese in 1505 and the departure of the Dutch in 1795, the Muslims in the maritime provinces underwent untold hardships at the hands of the invaders. Muslims have made great sacrifice for our homelands in the Eastern and Northern Provinces.

In the extended franchise election held in May – June 1931 for the first State Council, only the Eastern province Muslims were able to elect a Muslim to represent the entire Muslim community in Sri Lanka. It is in the Eastern province that the Muslim political right is preserved and protected

In the first Parliamentary Election in 1947, on the eve of Independence, Muslim representatives were elected for 4 of the 7 electorates in the Eastern province while the Tamils got only 3 seats. In the Provincial Council

election held on May 10, 2008 the Muslim elected 17, Tamils 11, and the Sinhalese 6 which is a clear proof that the Muslims are the unquestioned number one majority in the Eastern Province.

Sri Lanka Muslim Community of today is composed of various cultural groups. The vast majority of them are the descendants of the Arabs. The Malays who came during the Dutch period after 1640 from Indonesia and Malaya form the second largest group. Later, during the British period, after 1796, more Muslim Traders came from the Indian sub-continent, mostly from Malabar and Coromendal coasts. More recently came the Memons, Bohras and others from India, who have made their homes here and became a part of Sri Lanka Muslim Community.

The Sri Lanka population according to 1981 census, comprised Sinhalese 10,985,666, Sri Lanka Tamils 1,871,535, Sri Lanka Muslims 1,056,972, Indian Tamils 825,235, Malays 43,378, Burghers 38,236 and others 28,981 Totaling 14,850,001. Of the total Muslim population of nearly 1,134,556 about 762,551 lived in the Sinhalese Speaking area and the balance 372,005 were

living in the Tamil Speaking area – Eastern and Northern Provinces.

Because of ethnic conflict and security problems the government was unable to carry out a complete census for the whole country after 1981. The 2009 population was estimated to be about 18,000,000. Sri Lanka Muslim population 10% is 1,800,000. Muslim Population in the Sinhalese Speaking area is about 1,200,000 and the Balance 600,000 live in the Tamil Speaking Areas – Eastern and Northern Provinces.

In the last fifty or sixty years, during which Sri Lanka mounted a Constitutional struggle, you will not come across one solitary Muslim voice against the aspirations of the majority Sinhalese people. Muslim representatives did not go before Royal Commissions, nor have they gone before the International Community with accusation and sought to blacken the image of the Sinhalese people. In fact, if there is one community that could legitimately complain of being discriminated in the field of Education, Land Alienation, Colonization, Security etc. which come under the purview of the State, it could be the Muslims of Sri Lanka.

It is the Eastern and Northern Muslims who have been at the receiving end of atrocities committed by the Tamil Terrorist for not extending support for the division of Sri Lanka for the creation of the separate Tamil Elam state in the North East.

Muslims have not demanded separation nor are we terrorists. We have always stood with the people in the fight to protect the independence and sovereignty of the country. We did not change our religion to receive honours or land. We are proud of our loyalty. This loyalty we carried to the last when Dr. T.B. Jayah, in Parliament, on 9th November, 1945 speaking on the Sri Lanka Dominion Status Bill, said "When the question of Independence arises, we the Muslims will put aside all our differences and stand together with the Sinhalese" It was in appreciation of this sentiment, the late Mr. S.W.R.D. Bandaranaike said "the Sinhalese will stand for ever indebted to the Muslims for the unselfish stand they took on the question of Independence."

However, Ven. Ellawala Thero, Leader of JHU, a constituent party in the Government of President

Mahinda Rajapaksa, says that Sri Lanka is for the Sinhala Buddhist and wants the Muslims to go back to Saudi Arabia.



Due to ethnic conflict the other communities in Sri Lanka – the Sinhalese and Tamils have also suffered. But the case of the Muslims is quite different. The Government and its armed forces are providing all possible protection and relief for the Sinhalese. The Tamil Militants, the Indian government and the international Tamil Community are fully backing the Sri Lanka Tamils. But the unarmed Sri Lanka Muslims are helpless and caught napping in the unfortunate ethnic conflict.

The pattern of attacks that has been unleashed on the Muslims clearly demonstrates that there is a deliberate plan by the Tamil Militants to weaken the economic,

political and social strength of the Muslims in the Eastern and Northern Provinces, and to chase the Muslims away and make the North-East a mono-ethnic Tamil region in order to create the Tamil Ealam one day.

The Indo-Sri Lanka Accord, the 13th Amendment to the Constitution and the provisions of the Provincial Council Act have failed to meet the legitimate and reasonable demands of the Muslims. They have failed to protect our lives and properties. They have failed to recognize the different ethnic and political aspirations of the Muslims. This total disregard shown to Muslim sentiments brings to surface one important political truth – that is the Government has little or no concern about the safety and security of the Muslim people.

Although patronizing remarks and promises are being made by the Sinhalese and Tamil political leaders, in the actual exercise of power, every effort appears to have been made to cripple and destroy the rights and privileges of the Muslims. The Muslims should consider more seriously the present trend and take immediate steps to safeguard their legitimate rights in an appropriate manner. If proper safeguards are not secured

now, it would amount to be the biggest betrayal of not only the present generation but also those yet to be born in Sri Lanka as Muslims in the future.

02. GENOCIDE OF MUSLIMS

Hundreds of Muslims – men, women and children have been killed and injured in the Eastern and Northern Province of Sri Lanka by the Tamil terrorist. Since the signing of the Indo-Sri Lanka Accord on 29th of July 1987, more than 100,000 Muslims have been forced to leave their homes and billions of Rupees worth of properties belonging to the Muslims have been pillaged and destroyed by the Tamils.

Violence against the Muslims of the East began in 1985 and still continuing. The perpetrators were the Tamil militant groups - the LTTE, EPRLF and TELO. The killings went on even when the IPKF was stationed in the North East between July 1987 and March 1990. The Muslims saw the IPKF as being pro-Tamils and anti-Muslims.

After the formation of the Provincial Council for the merged North eastern Province in 1988, the Tamil National Army (TNA) formed by the pro-Indian ruling Tamil party, the EPRLF, and trained by the IPKF, attacked police stations in the Muslims areas and murdered “hun-

dreds” of Muslims. Other Tamil militant groups like TELO and ENDLF also participated in the anti-Muslim pogroms.



In October 1990, the LTTE ordered the 65,000 Muslims lived in Jaffna and other Northern districts to quit in just 24 hours. They had to leave with nothing but the clothes they were wearing.

While Jaffna was “ethnically cleansed”, the harassment of the Muslims in the Eastern districts continued unabated.

Muslim Civilians Killed in the Eastern Province by the Tamil Terrorist.

- 26 Muslims were killed at Ottamawadi in December 1987
- 41 Muslims were killed at Karaitheevu in November 1987
- 35 Muslims were killed at Kinniya in April 1987
- 52 Muslims were killed at Muttur in October 1987
- 21 Muslims were killed at Sammanthurai Mosque in April 1989
- 67 Muslims were killed at Valaichchenai from April 1985 to July 2002
- 67 Muslims were killed at Kattankudy in December 1987
- 168 Muslims were killed at Kattankudy in July 1990
- 147 Muslims were killed at Kattankudy Mosque in August 1990
- 58 Muslims were killed at Akkaraipattu in July 1990
- 14 Muslims were killed at Kattankudy Mosque in July 1990
- 13 Muslims were killed in November 1989
- 19 Muslims were killed at Alimnagar in August 1990
- 126 Muslims were killed at Eravur in August 1990

- 53 Muslims were killed at Ambalanthurai in August 1990
- 23 Muslims were killed at Sainthamaruthu in September 1992
- 15 Muslims were killed at Addalachchenai in May 1990
- 37 Muslims were killed at Pallitthidal, Akbarpuram in October 1992
- 200 Muslims were killed at Kalmunai, Akkaraipattu and Pottuvil in June 1990
- 33 Muslim farmers were killed at Ampara in August 1990
- 147 Muslims were killed at Alingippottanai in April 1992
- 30 Muslims were killed at Pottuvil in June 1991

On Friday the 28th June, 2002; Valaichenai Pradeshiya Sabha Office was set on fire and destroyed. In the grenade attack on Muslims returning from Friday “Jummah” prayers, 7 were injured – 2 critically. Additional troops and Special Task Forces were Airlifted after the mortar shells were fired and grenades were hurled at the Muslims by the Tamils. The Batticaloa and Ampara District were placed under curfew.

On Sunday the 30th June 2002, two bodies were found by the police in Kalmadu Village in Valichenai. They were the two Muslim cooks who went to the house of a Tamil in Valichchnai, on Wednesday the 26th June, to prepare the wedding meals. The LTTE cadres have abducted the two Muslims killed and buried them in a shallow pit in the paddy field. The father and few members of their family went to identify the bodies. After the post-mortem, the police loaded the dead in a tractor trailer to be taken for the burial according to Muslim rites. But the LTTE cadres with arms objected the removal of the bodies and insisted the burning of them in-situ. The Army Major Hettiarachi contacted the Head Quarters and he was given the orders to leave the bodies and avoid any confrontation with the LTTE. Then the LTTE cadres put the bodies on a heap of tyres and burned them in front of the Army and Police and destroyed all evidence of the horrendous human rights violation of the LTTE.

Muslims have realized that there is a well-planned conspiracy by the Tamils to chase the Muslims away and make the North-Eastern Province a mono-ethnic Tamil region in order to create a Tamil Ealam one day. Although patronizing remarks and promises have been made by the Tamil leaders, in actual practice every effort is being made to cripple and destroy the legitimate rights of the Muslims. It is therefore an absolute necessity for the Muslims in the Northern and Eastern Provinces to take independent measures to protect their lives and properties.

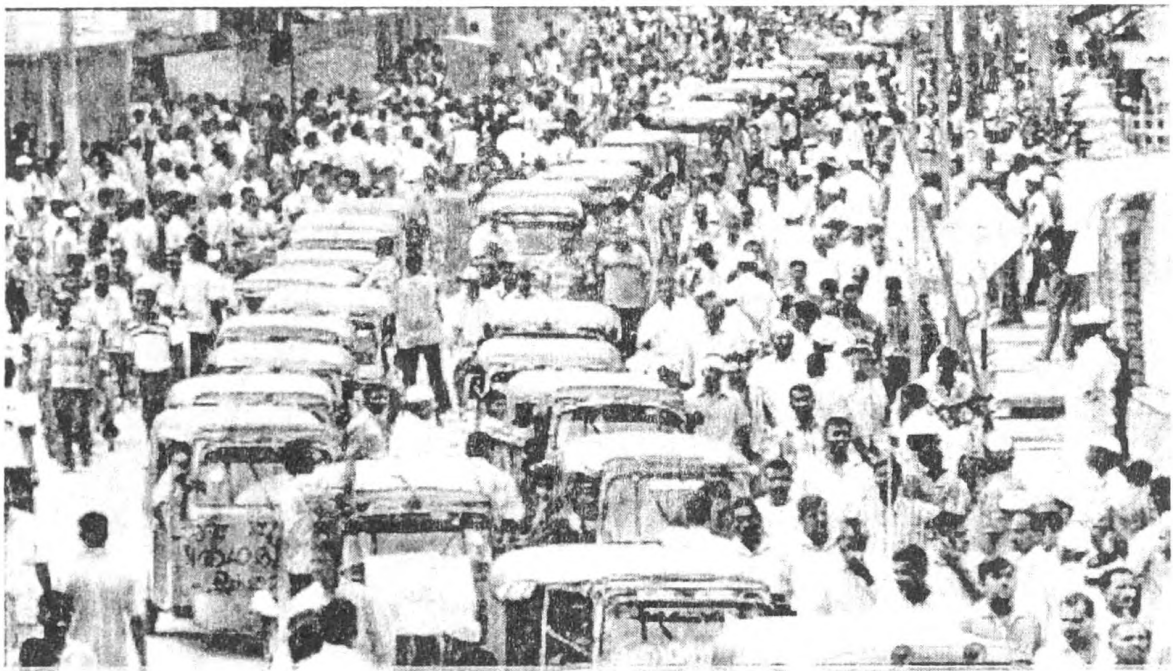
03. MASSACRE OF MUSLIMS IN MUTHUR – TRINCOMALEE DISTRICT

At least 200 Muslim youths have been abducted in Muthur on Friday the 04th August 2006. Thousands of fleeing civilians including children, pregnant mothers and the elderly who have been subjected to virtual starvation for over forty eight hours as a result of attacks on Muthur both by the government forces and the LTTE, were forcibly diverted to Kiranthimunai, off the 64th milepost on the Muthur – Kanthalai Road.



The Muslims got caught in the crossfire from both the army and the LTTE. Shells fell on the Arabic College too. The number of deaths increased.

Since Muthur was totally surrounded by LTTE, the town could not function normally. Business came to stop. People did not have means to acquire their daily food, children suffered without milk, patients both from the hospital and the casualties suffered without treatment. The Muslims had to struggle for their mere existence.



The Muslims while running for their lives suffering with hunger and thirst were also attacked by the LTTE on the way. The women and elderly were tortured and the youngsters were separated and murdered. The people remained in the local camps in Muthur too were faced with untold hardships and were suffering without proper amenities to eat, dress or sleep.

If Muthur happened to be a predominantly Sinhala town, the approach to flush out the LTTE would have been different. Likewise, the LTTE also would have used different tactics if Muthur was a Tamil populated area. In this sense, both the government and the LTTE did not care too hoots for the inhabitants who were largely Muslims. It was therefore easy for them to engage in absolute warfare and not think about Muslim civilians getting caught in between.

Internally Displaced Muslim - IDPs from Muthur, Thoppur & Palaththoppur

During Ethnic cleansing of Muthur by LTTE - 01 - 08 August 2006

Displaced Population	Displaced Families	Male	Female	Children	Injured	Pregnant Mothers	Feed Mothers	Widows on kiddy	Death	Missing
39,648	9,920	14,666	16,283	4,685	413	955	1,277	25	33	7

04. MUSLIMS HACKED TO DEATH IN POTTUVIL – AMPARA DISTRICT

Ten Muslim civilians hacked to death on Saturday – 16th September 2006 near the Radella tank in Pottuvil created tension and fear among the Muslim population. The government blamed the LTTE for this brutal killing but the civilians suspect the Government Special Task Force (STF).



According to reports from the area the victims were found blindfolded, hands tied and hacked to death in a vicious and brutal manner in close proximity to the Panama Army camp, which was said to be an area with no jungle. This area is fully under the control of the security forces so there does not seem the likelihood of the LTTE entering this area.

05. DENIAL OF CONSTITUTIONAL RIGHTS

1. Language of Administration in the Eastern Province

Section 22 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka states that the Tamil Language shall be used as the Language of Administration and for the maintenance of Public Records and the transaction of all business by public institutions in the Northern and Eastern Provinces.

But most public institutions, particularly the police stations in the Eastern Province, still continue to administer and maintain public records in Sinhala and not in Tamil Language as provided in the Constitution.

2. Government Agents – District Secretaries in Muslim Majority Districts

Ampara and Trincomalee Districts are the only Muslim Majority Districts in Sri Lanka. But these Districts never had Muslim District Secretaries - GA

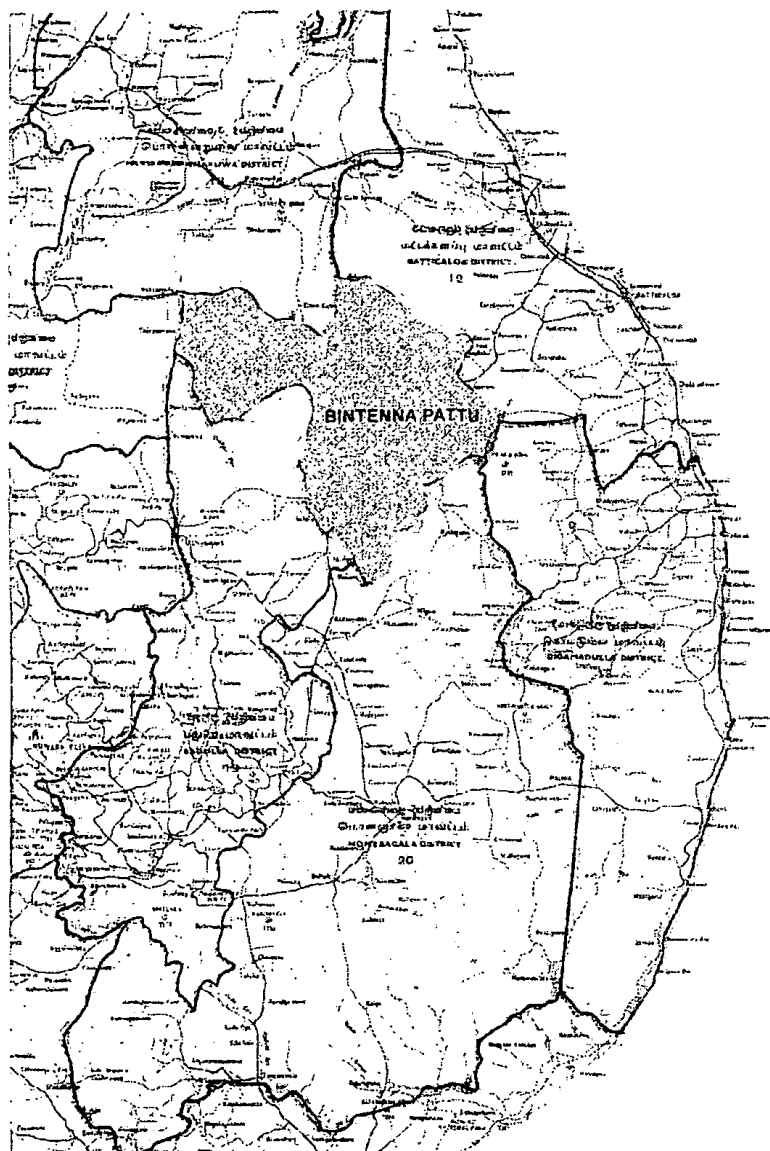
3.Location of Kachchery in Sinhalese Area for the administration of Muslim Majority Ampara District

Kalmunai was the administrative centre for areas down South of Batticaloa before the formation of Ampara District in 1963. More than 65% of the population of Ampara District live in the coastal area from Maruthamunai to Panama. Kalmunai is also the main town in this area.

The present location of the Kachcheri in Ampara is quite out of the way and not in the best interest of the majority of the Tamil speaking peoples of the area.

4.Sinhalese Areas attached to Muslim Majority Districts

Bintennapattu was originally a part of the Uva Province, and later it was in the Batticaloa Electorate but administered by the Uva Province. Although the Delimitation Commission of 1959, it was joined with Ampara Electorate, it continued to be administered from the Uva Province - Moneragala. However the Commission reported in para 109 that "The best solution for the problem of Bintenna Pattu appears to us to rejoin it to the Uva Province".



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils	
						2007	%	2007	%	2007	%
	Binthanapattu										
18	Dehiyattakandya	55930	8.18	432.50	408.01	55718	99.8	118	0.2	87	0.2
19	Pathiyathalawa	16451	2.89	488.37	119.42	16365	99.5	50	0.3	28	0.2
20	Maha-Oya	17801	2.91	600.00	129.22	17753	99.7	36	0.2	12	0.1
Total		90182	14.7665	1498.87	654.65636	89834	99.8	202	0.2	127	0.1

06. DENIAL OF RELIGIOUS AND CULTURAL RIGHTS

1.Sinhalese Force Madhrasa Closure

A group headed by more than seven (7) Sinhala Buddhist Monks entered Ampitiya Usman Quran Madhrasa in Kandy on Saturday March 21, 2009 and wanted the Imam to vacate the Madhrasa immediately and warned that his failure to do so would result in his being forced out from the place and the building demolished to the ground. This Madhrasa has been registered with the Muslim Cultural Department and there were no objections to this Madhrasa conducting religious classes and prayers till this incident.

2.Slaughtering of Cattle for Halal Food

“The Slaughtering of Cattle by Muslims in Sri Lanka has been a problem in the recent past. The fact that slaughtering of cattle is a religious right conferred in the Constitution of this country is violated by the Sinhala Buddhist majority community. Muslims are subjected to harassment and violations of their fundamental rights. Various methods are adopted to remove the existing constitutional rights of Muslims relating to Cattle Slaughtering for Halal Food.”

07. DENIAL OF LAND RIGHTS

1.Muslim Lands unlawfully occupied by Tamil Terrorists

LTTE – Tamils forcibly occupied more than 63,000 Acres of Agricultural Land belonging to nearly 15,000 Muslim families in the East. Tamil militants are also unlawfully occupying lands belonging to Muslim religious and cultural organizations – 1,560 Acres in Thirukkivil and ‘Timitar’ Komari in Pottuvil – the properties in Rasool Estate in the custody of the Department of Public Trustee in terms of Case No. 304/T.

2.Muslim Lands Forcibly Occupied by the Tamil Terrorists in the Eastern Province

District	DS Division	Cases	Extent		
			A	R	P
Ampara	1.Pottuvil	730	2592	3	-
	2.Akkaraipattu	660	1785	3	23
	3.Addalachenai	329	1072	3	34
	4.Oluvil/ Palamunai	176	559	1	30
	5.Ninthavur	583	2349	-	10
	6.Sammanthurai	529	2513	-	22
	7.Irakkamam	428	2092	-	32
	8.Kalmunai	280	1433	1	33
	9.Maruthamunai	496	2365	1	30
Total		4211	16764	1	14

Batticaloa	1.Kattankudy	449	4231	1	12
	2.Eravur	2263	12784	3	34
	3.Oddamavady	1856	8710	1	37
	4.Valaichenai	907	3086	1	30
	Total	5475	28813	-	33
Trincomalee	1.Kinniya	2252	7209	2	6
	2.Mutur	992	2577	-	36
	3.Thopur	912	4617	2	17
	4.Pulmoddai	566	1344	3	25
	5.Morawewa	464	1343	1	22
	Total	5186	17092	2	26
EASTERN PROVINCE TOTAL		14872	62670	-	33

3.Muslim Lands Forcibly Occupied by the Tamils after Ethnic Cleansing of Muslims in October 1990 from the Northern Province

District	DS Division	Cases	Extent		
			A	R	P
Mannar	1.Mannar	2,033	3,623	3	12
	2.Musali	2,966	11,700	3	6
	3.Manthai west	931	4,402	2	16
	4.Madu	417	2,825	1	15
	5.Nanattan	253	681	-	11
	Total	6,600	23,233	2	20
Jaffna	1.Jaffna	1,177	245	-	17
	2.Chavekachcheri	44	21	3	35
	3.Island south	28	65	1	-
	4.Vadamarachi north	2	1	-	10
	5.Valikamam south-west	3	-	3	6
	6.Valikamam north	2	14	-	20
	Total	1,256	348	1	8

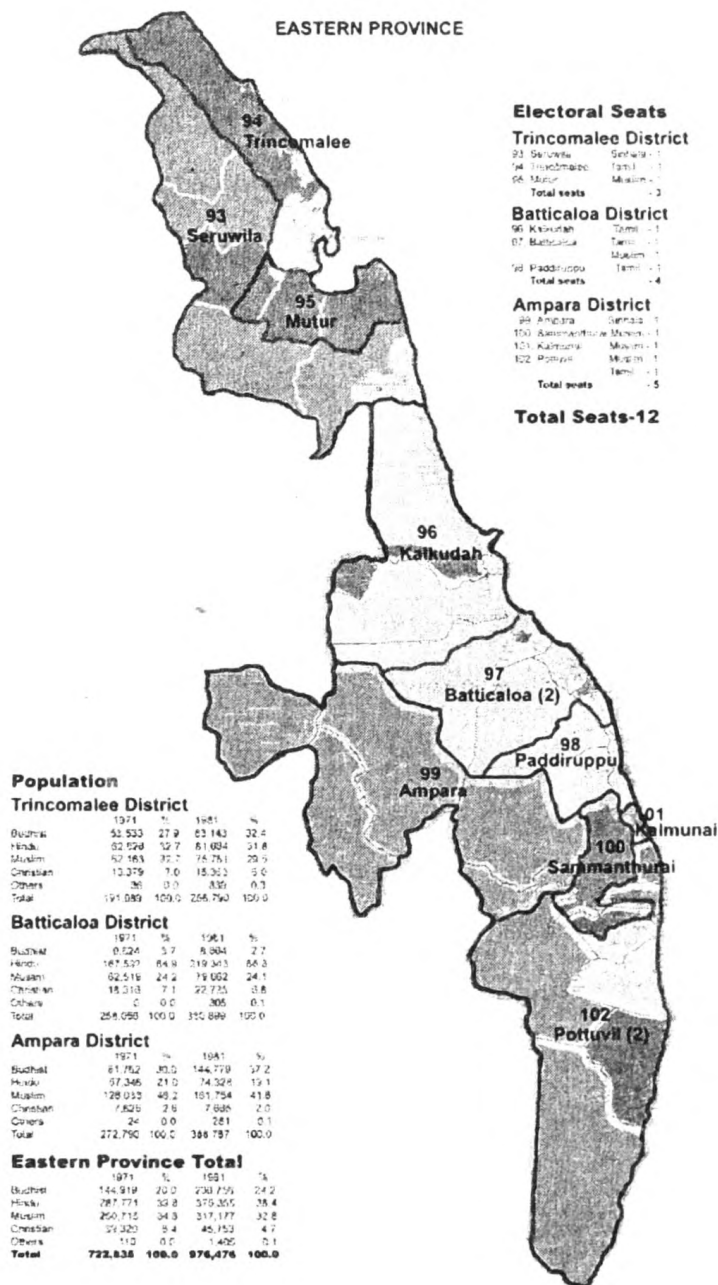
Kilinochchi	1.Poonakari	114	283	3	25
	2.Karachchi	151	233	1	29
	3.Pachchilaipalli	7	8	-	10
	Total	272	525	1	24
Mullaitheevu	1.Maritimepattu	978	1,095	-	22
	2.Puthukudiyiruppu	16	53	1	12
	Total	994	1,148	1	34
Vavuniya	1.Vavuniya south	870	3,795	1	2
	2.Venkalachchettikulam	1,066	1,327	1	20
	Total	1,936	5,122	2	22
NORTHERN PROVINCE TOTAL		11,058	30,378	1	28

4.Allocation of Land Areas in the Demarcation of Electoral and Administrative Units.

The 1976 Delimitation Commission demarcated Seruvila Electorate covering 700 sq. miles out of the 1048 sq. miles for the 24% Sinhalese in Trincomalee District. The land area for the 76% Tamils and Muslims was the balance 348 acres.

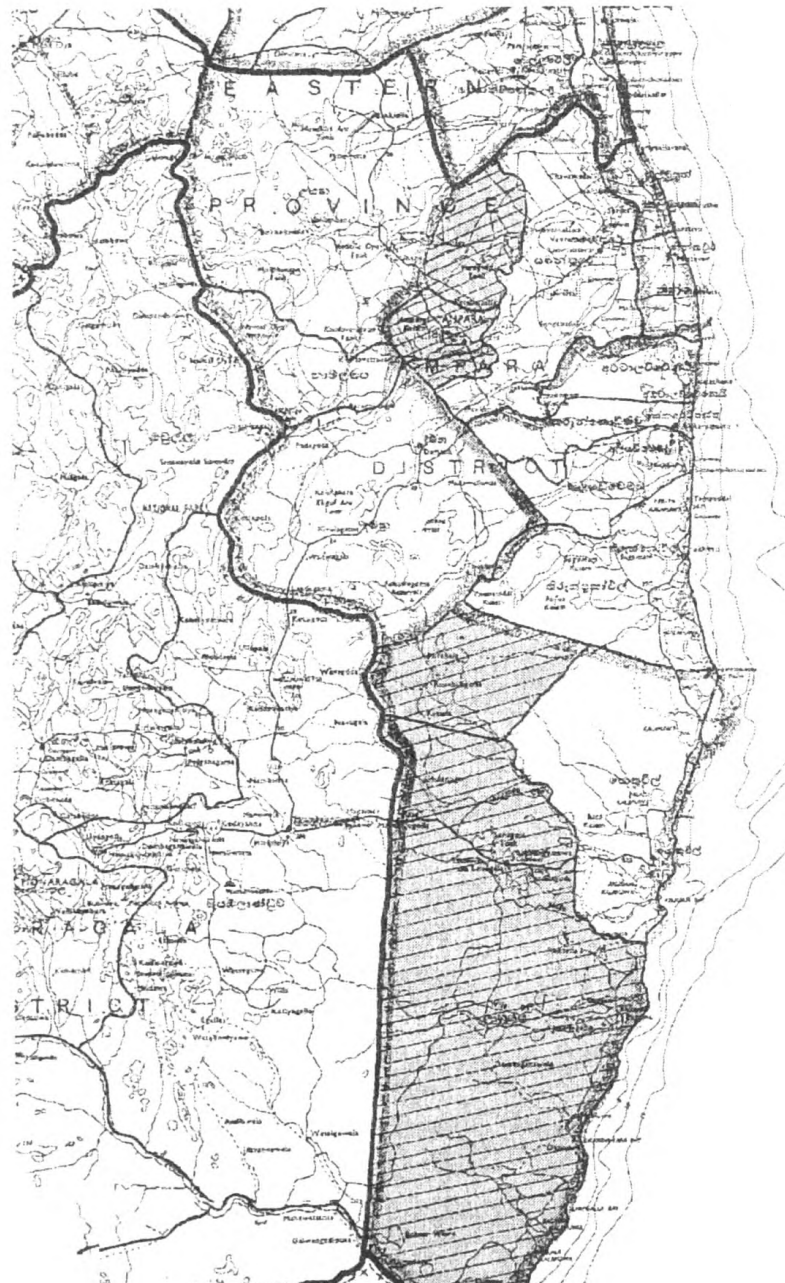
According to 1971 censuses, the population of Ampara District - 47% Muslims, 30% Sinhalese, and 23% Tamils. The Ampara Electorate created for the newly settled Sinhalese under the Gal Oya state aided colonisation is 880 sq. miles. With the 370 sq. miles allocated for the Lahugala and Damana AGA Division the 30% Sinha

lese were given 1,250 sq. miles - 70% Land area, where as the 70% Tamils and Muslims are left with only 30% of Land area - 525 sq. miles.



5.Pottuvil

Sinhalese Encroachemnts in Predominants Muslim DRO Divisions in Ampara District



Former Muslim Majority Panamapattu DRO Division, 472 sq. miles, population 26,916. When redemarcating the new Administrative Divisions 19,831 - 74% Muslim Majority Pottuvil AGA Division was given only 22% - 103.9 sq. miles and the balance 78% - 368.2 sq. miles land area was allocated for the 7,085 - 26% Sinhala Majority Lahugala AGA Division.

When compared the land area of Sinhala Majority Lahugala AGA Division with the Muslim Majority Kalmunai AGA Division, the Sinhalese are having 208 times more than the land area of the Muslims. When compared the land areas for the Sinhalese with the land area for the Muslims in the Muslim Majority Ampara District, the Sinhalese land area is 13 times more than the Muslim land area.

6.Akkaraipattu

The Akkaraipattu AGA's Division had two-third Muslims and one-third Tamil population.

Grievances of Akkaraipattu Muslim people were aggravated when malicious efforts were made to include the legitimate land and natural resources belonging to

the Muslim people with Tamil majority Alaiyadivembu AGA's Division.

Akkaraipattu DS Division and Alayadivembu DS Division were created without correct definition of the area of administration and the relevant Grama Sevaka Divisions falling within the respective DS Divisions. The situation continues to remain unsettled.

7.Sammanthurai

In the Sammanthurai Muslim Majority DRO Division, nearly 65 sq. miles of land area covering the Hardy Institute, Ampara Tank, the Town area and Komari have been encroached by the Sinhalese and attached with the Wewagampattu – Sinhala Majority Uhana AGA Division.

8.Batticaloa District

The Batticaloa district consists of 14 Pradesiya Sabhas and covering an extent of 2633 sq. km. There are 4 predominant Muslim DS divisions and the land area – Kattankudi 3.4 sq. km. Eravur Town 3.89 sq. km., Koralaipaththu West (Ottamavadi) 6.84 sq. km. Koralaipaththu Central 6.50 sq. km. Total extent of Mus

lim land area approximately 20.0 sq. km., which is less than 1.0% of the total area of Batticaloa District where the Muslim population is nearly 30% today.

Serious issues have been raised by Muslims of Batticaloa on the ongoing activities of the several international organizations assisted by the Government and the Tamil Makkal Viduthalai Pulikal (TMVP) in re-settling displaced Tamils on lands owned by Muslims.

After 1985, LTTE forcibly occupied Muslim residential, agricultural and cattle farming lands – more than 35,000 acres in areas under their control. The GOSL did nothing to restore these properties owned by the Muslims on title deeds, government permits and paddy cultivation register.

9.Koralaipaththu Central

Although the Local Government Commission declared Koralaipaththu Central – the area of historical habitation of the Muslims, covering more than 240 sq. km., consisting of 11 Grama Sevaka Niladhari divisions, the boundaries have not yet been demarcated on ground.

10.Eravur

Most of the Muslim agriculture and cattle farm land owned by the Muslims situated along the Chenkaladi - Badulla – A5 Road. Today the entire area along this road has come under the control of GOSL armed forces. Eravur Muslims owned more than 12,000 acres. Arrangements are being made now to bring back the Tamils who have been unlawfully occupying Muslim lands and settle them permanently by the TMVP and the Government armed forces without any consideration of the displaced Muslims.

During the ethnic conflict 1983, 1985, 1990 etc., more than 12,700 Muslim families were chased out by the LTTE and the Tamils forcibly occupied all the Muslim lands that came under LTTE control. The GOSL did nothing to provide any relief or paid compensation for the loss of livelihood of these displaced Muslims.

Resettlement of displaced Tamils on Muslim land in Iyankuni, Meerakerni, Mitchanagar, Hidayathanagar, Thakvanagar in and around Eravurpathu Pradeshiya Sabha would further deteriorate the peaceful co-existence of Muslims and Tamils in Eravur.

11.Kattankudy Muslim Border Villages

Ollikulam, Sikaram, Karbela, Palamunai, Kankayan Odai, Keechampallam are the Muslim border villages of Kattankudi in Arayanipathu Pradeshiya Sabha. Displaced Tamils after the 'Tsunami' and GOSL military operations to flush the LTTE terrorists in the Paduvankarai Tamil villages have been temporarily settled in private lands owned by the Muslims and the Mosques. Now the TMVP with the assistance of Government Armed Forces and help from INGO's are making arrangements to provide accommodation to settle the displaced Tamils who have come from Tamil areas, permanently on land belonging to the Muslims and the Mosques, depriving the Muslims, the lands legitimately belonging to them.

12.Kuchchaveli

Kuchchaveli in Trincomalee district is a predominant Muslim area. Total population 29,967 and 8,058 families. 65% Muslims 19,443, 31% Tamils 9,282, 3% Christians 905 and 01% Sinhalese 337. Kuchchaveli Pradeshiya Sabha 9 members, Muslims 6, Tamils 3.

The Divisional Secretary is a Tamil in the predominant Muslim division. Total grama niladharies 24.65% Muslims are given only 7 GS but the balance 17 GS are given to the Tamils and others who are only 35%. Average population of a Tamil GS division is 250 people whereas the population in Muslims GS is around 1350 eg. Pulmoddai 31I and 31I divisions.

13.State Aided Sinhalese Colonization in Muslim Areas in Ampara District

Land Policies covering subjects such as Land Use, Land Development, Land Settlement and allied matters are of utmost importance. Land use and Settlement have come to be acknowledged in Sri Lanka as “Colonisation” in effect “State Aided Colonisation”. Colonisation has been accepted as one of the main grievances affecting the minorities – Tamils and Muslims in Sri Lanka.

1,400 acres was given to the Muslims under LDO Permit to open out the jungle and cultivate paddy. his area is about 5 miles from the predominant Muslim Village of Akkaraipattu. The Muslims developed this area at great expense even at the loss of life and limbs. They became some of the finest paddy fields in this area.

The River Valley Development Board the successor to the Gal Oya Board, without any notice or compensation to these Muslim cultivators with LDO Permits, handed over the whole area to the Sugar Corporation. They sent the Bull-dozers to destroy the paddy fields and took over the land for sugar cultivation. Hundreds of Muslims were thrown out on the road.

The land taken over chasing the Muslims proved a dismal failure for sugar cultivation. One thousand four hundred acres of fertile paddy fields were reduced to shrub jungle. The Government had settled Sinhalese brought from outside instead of giving the land back to the Muslims who developed these lands on LDO Permits or to their dependants.

Similarly Muslims who developed the State land with LDO Permits have been chased out from Velamarethveli Kandam, Ambaltharu Kandam and Ambalam Oya Kandam, Chennai Kandam. Total land from which Muslims have been chased away with their LDO Permits (and given to Sinhalese brought from outside) amounts to more than 7,000 acres.

The Sri Lanka Sugar Corporation at Ingurana, Gal Oya Tile Factory under Ministry of Industries at Irrakkamam. The River Valley Development Board – the successor to the Gal Oya Development Board, took over the fertile paddy fields of the Muslims without due regard to the provisions of the law relating to acquisition of land. This has resulted in the Muslims not getting alternate land or compensation.

14. Muslim Lands Forcibly Colonized by Sinhalese in Trincomalee District

The Battukachchi area which is presently called Akbarpuram were earlier pasture land of the people of the area. Here also they chased the Muslims and colonized with Sinhalese. Even now there is a Mosque and a Muslim school. When Kanthalai Sugar Corporation was established in 1958, more Sinhalese came in and occupied land along Alakantalai Road, depriving the lands of the Muslims. Kantalai, Pottanaikadu, Peraru are few of the purana Villages of the Muslims and Tamils which are now being occupied by the Sinhalese. Prior to 1965 the Local Government Village Council Chairman was a Muslim.

Kinniya which is the largest Muslim Village in Trincomalee has a population of 60,000. The poor landless farmers who lost their purana lands to the Sinhalese under Kantalai Colonisaton Scheme, started clearing their immediate neighboring jungle at a place called Vanaru. About 10,000 acres of land had been occupied by more than 3,000 Muslim Farmers from the villages in the area – Vanaru, Sundiaru, Maniarasankulam, Savaru, Kalaruppu, Valamadu, Vannathipalam, Katukuli, Naduluthu etc. In 1967, the Government introduced a scheme called Kusumangada Vanala Scheme and started chasing the Muslims who were in occupation of the land at Vanaru. It was during this time that a Police Station was opened at the heart of the jungle called Van-Ela Police Station to chase away the Muslims to were in occupation of the land and to help the Sinhalese to take possession of the lands developed by the Muslims.

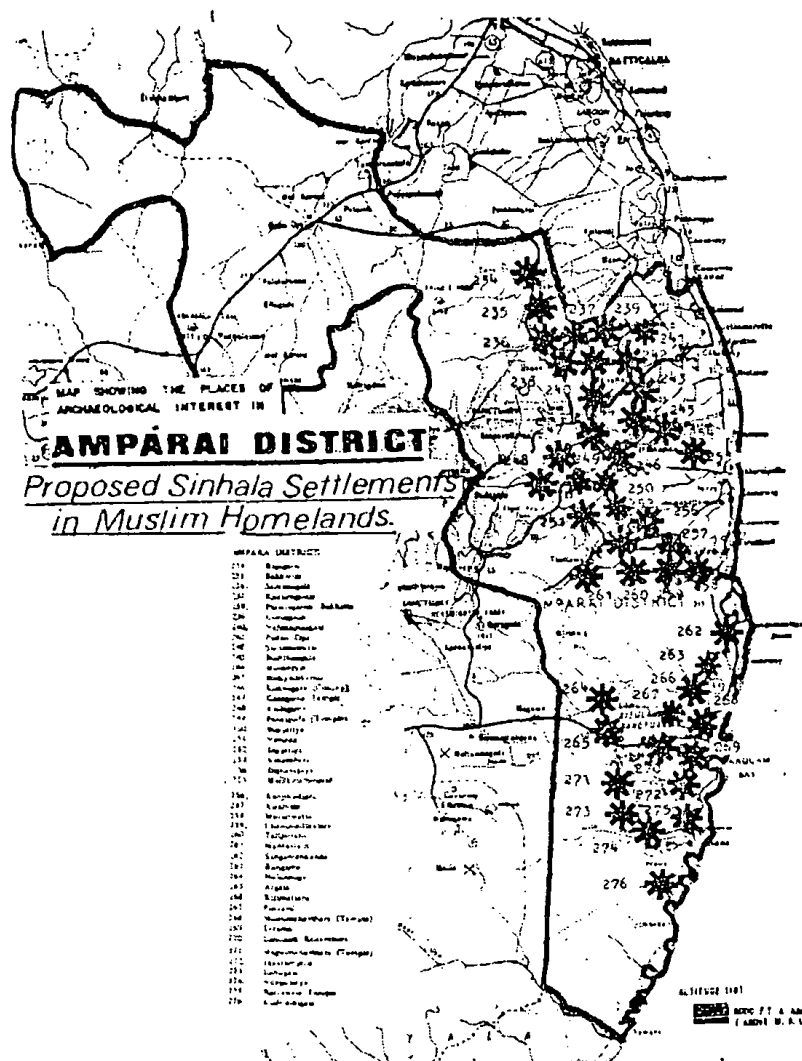
The lands owned by the Muslims are now forcibly occupied by the Sinhalese. There is serious discrimination in Trincomalee Kachcheri. Annual Temporary LDO Permits were not renewed for the lands cleared and cultivated by the Muslims. But new Permits are issued

to the Sinhalese who suddenly come and occupy the developed land of the Muslims. Muslims are thrown out without any compensation or alternate land.

Ampara District is 1,775 square miles in extent. According to the census of 1981, the Sinhalese who are 37.2% are eligible for 660 square miles. But they have 76% or 1,340 square miles in the predominant Sinhalese areas. Muslims are 41.6% and eligible for 728 square miles. But the Muslims in their area have only 263 square miles which is only 15% of the land in Ampara District.

However, the political authority of the previous government and the District Minister in the present government are very keen to grab the developed and ready made paddy fields of the Muslims and settle Sinhalese relatives brought from other districts. These are the illegal politically aided settlements of Sinhalese in Muslim areas which is over and above the 38 settlements of Sinhalese under the Gal Oya scheme 1960-63. This maneuver has very seriously affected the economy and the political strength of the Indigenous Muslim population of Ampara District.

15. Muslim Lands Forcibly Occupied in the Name of Buddhist Religion



Adding insult to injury action are still continued to deprive the Muslims from even the 15% of the land holdings in Ampara District. It is sad to observe that these actions are being contemplated in the name of religion ad culture. Certain areas where Muslims have been

living traditionally have been already earmarked as places of Archeological Interest. The Commissioner of Archeology has stated in the "Silumina" on the 1st January, 1984 that 273 sites in the North and East have been excavated and Sinhala Buddhist are to be settled in these places. According to Hansard Volume 25 No. 10 of Friday 7th October, 1983, there are 43 places of Archeological Interest in the predominantly Muslim areas of Ampara District.

Some of the Buddhist Priests and Sinhalese have tried to make out that even the Northern & Eastern Provinces were peopled by Sinhalese several centuries ago.

The claims that are being made to lands in the Northern and Eastern Provinces as Sinhalese territory are on par with the claims of the Jews in Palestine.

Successive governments have pursued the same policies as the Jews are pursuing in Palestine in dispossessing the Arabs of their land and driving them from their homes. Today we find a frantic search for Buddhist shrines, not for the love of Buddhism but to chase away the Muslims from their lands.

08. DENIAL OF SECURITY FOR MUSLIMS



1. Para Military Forces harassing Muslim civilians

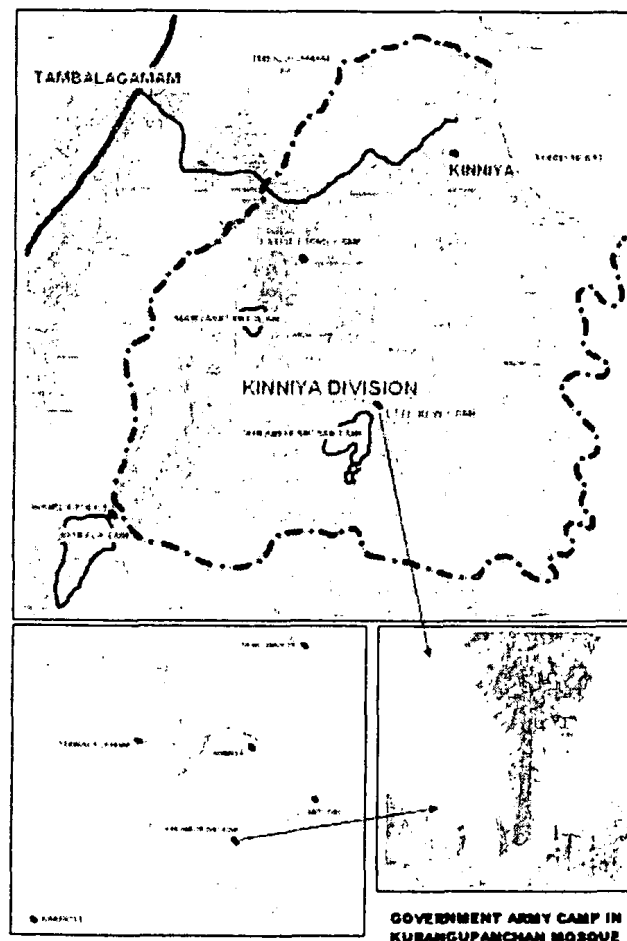
Law enforcement authorities in many parts of the Eastern province are allegedly turning a 'blind eye' to the continuous complaints made against terrorists.

Apart from encroaching lands belonging to Muslims, the terrorists have commenced taking ransom. Most victims have now stopped complaining to the police because when complaints were made to the police the details of those who made the complaints were leaked. As a result these families are intimidated and harassed.

All previous governments have failed to take meaningful measures regarding Security for Muslims.

The government should at least now take necessary steps to protect the Muslims. Those who were involved in the brutal murders of Muslims in Panama - Pottuvil and Muthur - Trincomalee should be brought to book. The members of the armed forces should be made protectors of all citizen irrespective of ethnicity and religion

2. Military Camp in Kinniya Kurangupanchan Mosque



The Kurangupanchan GS Division is about 20 sq. km in extent and 15 km South of Kinniya town. After the floods in 1957 the Muslims started to settle here.

More than 255 Muslims families lived in Kurangupanchan up to 1990. As a result of the ethnic violence in 1990 the Muslims in Kurangupanchan village were forcibly displaced and moved to Kinniya. Soon after the ceasefire agreement between the GOSL and LTTE in February 2002, the Muslims went back and started paddy cultivation in their fields in Kurangupanchan and started resettling in their own lands. They renovated the Mosque as decided at a meeting held on 11.06.2003, LTTE chased the Muslims families and put up a military camp in the Mosque building and the LTTE forcibly occupied the areas of historical habitation of the Muslims in the Government controlled area.

After the taking over the East by the Government Armed Forces, the military camp still remaining in the mosque and the displaced Muslims not resettled, yet.

09. ETHNIC CLEANSING OF MUSLIMS

Eighteen years ago more than 72,000 Muslims in the Northern Province were forcibly expelled by the LTTE during the fourth week of October 1990. The LTTE announced over the loudspeakers through the streets of Muslim areas in the Northern Province that the Muslims must leave their homes, leaving all their belongings or face death at the hands of the LTTE. The ultimatum in many places was 48 hours, but the Muslims of Jaffna were given only two hours.

The government security forces stationed in the North made no attempt to prevent the ethnic cleansing of Muslims. Human Rights Organisations some of which were working here made very little effort to prevent the forcible eviction. Today more than 150,000 Muslim men, women and children are undergoing untold hardships in the refugee camps in North Western, North Central and Western Provinces.

Details of the forcibly displaced Muslims from the North who are languishing in the following districts – year 2002

<u>Districts</u>	<u>Families</u>	<u>Peoples</u>
Puttalam	15,500	74,140
Anuradhapura	865	4,070
Kurunagala	487	2,311
Gampaha	1,050	4,725
Colombo	425	1,912
Kalutara	395	1,856
Matale	85	517
Kandy	110	517
Galle	5	23
Kegalle	32	150
Total:	18,954	90,221

The details of Muslim assets confiscated by the LTTE during the forcible expulsion in October 1990

<u>Description</u>	<u>Quantity</u>
Residential houses and properties	22,000
Commercial and Industrial establishments	2,402
Religious and Cultural Institutions	340
Agricultural Lands	39,400 Acres
Gold Jewelleries	475,000 Grams
Cattle	211,000
Motor Vehicles	320
Motor Cycles	800
Carts	750
Bicycles	4000
Fishing Boats	850
Engines (Boats)	400
Fishing Nets	1200
Refrigerators	200
Television sets	2000
Radio Sets	600



The forcibly displaced Muslims of the North are citizens of this country and their rights, freedom and privileges have to be honored as that of any other citizen of the country. The fact of displacement or the status as refugees should not be a disqualification to enjoy basic amenities of a modern and civilized living to which fellow citizens in the neighborhood are entitled.

10. MUSLIM REFUGEES

Muslim Population and Refugees of the Northern and the Eastern Provinces According to AGA Divisions.

<u>Eastern Province</u>	<u>1981</u>	<u>1987</u>	<u>Muslim Refugees</u>
Ampara District	161,754	193,797	-
Kalmunai	45,480	54,576	-
Sammanthurai	37,996	45,592	-
Ninthavur	20,716	24,860	-
Addalachchenai	20,140	24,168	-
Akkaraipattu	22,941	27,529	-
Pottuvil	13,433	16,120	-
Batticaloa District	79,662	94,939	10,225
Batticaloa Town	3,725	4,432	-
Kattankudy	26,509	31,546	-
Eravur	21,582	25,683	-
Ottamawadi/Valachchenai	27,291	32,476	10,225
Trincomalee District	49,280	87,428	49,280
Trinco Town & Gravats	7,979	9,176	5,000
Mutur	19,184	22,062	16,000
Kinniya	28,669	32,969	18,000
Thambalakamam	8,008	9,209	6,280
Kuchchaveli	2,088	2,401	2,000
Kanthalai	4,406	5,067	2,000

Muslim Victims Discriminated

It is widely criticized that the government has not treated the 'Tsunami' affected Muslim people equally. Also Muslim concerns were not given due publicity in the media. Thousands of Muslims have been languishing in several temporary camps without sufficient food, medicines and other basic facilities. Muslims who are trying to resettle in their own land are still confronting threats from the government bureaucracy. In fact they are deprived of their fundamental human rights.



Ampara, the country's worst affected district is a glaring example of how ineffective institutions, political rivalries and misinformation can make a mockery of disaster management. In the coastal Muslim areas of Maruthamunai, Kalmunai, Sainthamaruthu, Ninthavur, Oluvil, Addalachchenai, Akkaraipattu and Pottuvil. Kattankudy's boarder villages such as New Kattankudy, Palamunai and other Muslim concentrated areas still remain untouched.

Mutur, Kinniya, Kuchchaveli Pulmoddai and Trincomalee town are the main Divisional Secretariats Division in the Trincomalee District where thousands of Muslims have been affected by the Tsunami. Political confusion has greatly contributed to the mismanagement of relief. LTTE held areas in these district have come under LTTE-backed relief and resettlement works. But Muslim areas are still suffering form having not enough infrastructure development such as roads and hospitals.

The situation in the South is different. In Hambantota, the need was only 1057 houses. But the Government had allocated, 4852 houses.

Muslim Victims in Eastern Province

No. of Persons			Damaged Houses		Damaged Buildings		
Families Affected	Death	Injured	Completely	Partially	Mosques	Schools	Hospital
20091	1967	5049	6806	7079	62	34	8

Families	Businessmen	Casual Labors	Doctors	Drivers	Farmers	Fishermen	Government Employees	Skill Labors	Tailors	Teachers	Weavers	Others	Occupation Not Given
AMPARA DISTRICT													
4482	301	1057	1	121	655	1072	54	170	26	18	38	91	878
BATTICALOA DISTRICT													
1308	338	294	4	41	8	148	44	70	34	31	11	43	242
TRINCOMALEE DISTRICT													
3536	336	490	0	29	117	1798	138	105	19	68	1	49	386
TOTAL													
9326	975	1841	5	191	780	3018	236	345	79	117	50	183	1506

Undue claims by the Sinhalese for the houses constructed for Akkaraipattu Muslim Tsunami victims.

Houses to resettle the displaced Tsunami refugees are built on lands identified and approved by the Government Task Force to Rebuild the Nation - TAFREN. Accordingly 40 acres of highland, in block 223 in Norochcholai abandoned for more than 30 years, was allocated to construct 500 houses for the resettlement

of Muslim families displaced by the Tsunami in Akkaraipattu D.S. Division.

The Fundamental Rights application 178/2008 in the Supreme Court of Sri Lanka, by JHU MP. Ven. Ellawala Medhananda Thero and 06 others relates to the allocation of the houses built for the resettlement of Muslim Tsunami victims displaced in Akkaraipattu, Ampara District. The petitioners state that, the 500 houses have been constructed by the government at Norochcholai in Akkaraipattu for the distribution amongst Muslims excluding Sinhalese and Tamils. The petitioners also emphasized that the existence of the Deeghavapiya Raja Maha Viharaya depends on Buddhists in Deeghavapiya area and that steps taken to settle non-Buddhists would result in a violation of their fundamental rights.

The housing site is not anywhere near the Deegavapi Buddhist Raja Maha Vihara and is about 5 km away down south in Akkaraipattu D.S. Division.

According to the Government Department of Census and Statistics, there are no Sinhalese or Tamil Tsunami victims in Akkaraipattu.

12. DENIAL OF POLITICAL RIGHTS

After the demerger of the East by the Supreme Court in October 2006, and following the take-over of the province by the Sri Lanka Armed Forces, the UPFA government having elaborate plans for the devolution of powers and rehabilitate the Eastern Province on the basis of 3D solutions - Demilitarisation, Democratisation and Development.

The so called 3D solutions are nothing but an accelerated process of Sinhalisation of the Eastern Province. After the demerger, the Eastern Province administration is ethnically transformed. There are many Sinhalese ex-service men now in key positions. The Eastern Province Governor, the Government Agents of Ampara and Trincomalee Districts, the Rehabilitation Coordinator, the Governor's Secretary, the Provincial Chief Secretary and the Secretary to the Eastern Province Public Service Commission are all Sinhalese. The land Minister in the Eastern Provincial Council and the Secretary to this ministry and the land commissioner are Sinhalese. Although 80% of schools in the Eastern Province are Tamil medium schools, the Education Minister

is a Sinhalese. The combination of Sinhala Administrative and Security Officials are well equipped for the rapid implementation of the 3D Sinhalisation programme.

Eastern Provincial Council Election and the Chief Minister Episode

The Eastern Provincial Council Election on 10 May 2008 was a worthwhile exercise that served as an eye-opener to many.

Before the election, President Mahinda Rajapakse promised that the group that returns the highest number of members to the Eastern Provincial Council would be given the chance to appoint the chief minister.

When analyzing the overall composition of the elected members to the Eastern Provincial Council, Muslims have topped the list. On ethnic basis there are 17 Muslim, 11 Tamils and 7 Sinhalese elected to the council.

Although the Muslims command a majority among the UPFA ruling council, the government presented vari

ous arguments to change the promise with regard to the appointment of Chief Minister and appointed TMVP Pillayan a Tamil as the Chief Minister and denied the Eastern Province Muslims their legitimate right for the Chief Minister position.

Devolution



President J. R. Jayewardene and Indian Prime Minister Rajiv Gandhi
at the signing of the Agreement ceremony.

Devolution of power was first introduced into the Sri Lankan Constitution with the passage of the 13th Amendment, certified on 14th November 1987, following the Indo-Lanka Accord of July 29, 1987. Although the scheme of devolution was meant to cover all the nine Provinces, it is indisputable that the catalyst was the ethnic conflict and the need for a politically negoti

ated settlement by addressing the legitimate grievances and aspirations of the minorities of Sri Lanka – Tamils and Muslims.

Despite a Provincial Council had been installed, the devolution process in the Eastern Province is yet to get underway in real terms on account of marked reluctance by the Central Government to concede the relevant powers to the provinces.

Presidential Directive for the Implementation of the 13th Amendment

In formulating a political and economical frame work for the resolution of the national question, the APRC has been guided by the address made by the President on 11 July 2006.

- (a) People in their own localities must take charge of their destiny and control their political and economical environment.
- (b) Devolution also need to address issues relating to identity as well as security and socio-economic development without over reliance on the Centre.

- (c) To address the question of regional minorities.
- (d) A solution to the national question must ensure the unity of the country.

Barriers in Implementing the 13th Amendment to the Constitution

- 1 The existing institutional structures in the Provinces and the Districts are not conducive for devolution.
- 2 All the three Lists of devolution given in the 9th Schedule to the Constitution are weighted in favour of the Centre.
- 3 The unitary character of the Sri Lankan Constitution is favourable to the Sinhala permanent majority, most of whom have an anti-devolution mindset to infringe upon the powers devolved to the minorities.
- 4 Last twenty two years experience shows that even the minimum devolution to the minorities will not be possible until the anti-devolution mindset of the Sinhala politicians and bureaucrats are first removed.

Activities of ACMDC in Brief

The Al-Ceylan Muslim Documentation Centre - ACMDC, will create a lobby for representing Muslim Issues internationally-particularly in the Organisation of the Islamic Conference - OIC and UN High Commissioner for Human Rights - UNHCHR.

The ACMDC will publish monthly Situation reports to be sent to all organizations and international bodies, foreign diplomatic missions, media and international and local human rights organizations.

The ACMDC will hold periodic seminars and workshops to educate the stakeholders at village level with regard to Muslim issues.

M.I.M. Mohideen

Secretary General and Executive Director, Al-Ceylan Muslim Documentation Centre - ACMDC and Coordinator for the Eastern Province Tamil Muslim Peace Committee for the resolution of ethnic conflict.

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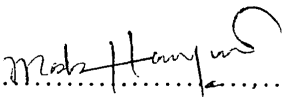
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