

# **1. IMPLEMENTATION OF THE 13TH AMENDMENT TO SRI LANKA CONSTITUTION**

When the Thirteenth Amendment was first introduced in 1987, the Tamils and Muslims expressed strong reservations about many aspects including the provisions on Local Government, Land, Schools, Highways, Law & Order, Agriculture, Administration and Financial Powers granted to Provincial Councils. Most of our Chief Ministers from both the UNP and the UPFA are now expressing the same frustrations that were expressed initially by the minorities.

## **The 13<sup>th</sup> Amendment in practice**

The three lists – Provincial List, Concurrent List and the Reserved List. The Reserved list dealing with Central Parliament powers is drafted in a very expansive and inclusive way, whereas the list dealing with Provincial powers is drafted in a very narrow and restricted way.

### **Local Government**

If you look at the provisions which deals with Local Government something that can be devolved without any problems with respect to national security or sovereignty, you will see that it is drafted in such a way that there are lot of conditions attached, which mean that the Central Parliament retains powers over a number of aspect of Local Government.

### **Land**

Land is even more interesting. It talks about alienation and use of land to be a provincial subject. Provinces are given responsibility over land through the establishment of an institution called the National Land Commission. But for twenty years, the National Land Commission has not been established.

### **Schools**

There is no criteria spelt out as to what is a national school under the Centre and what is an ordinary school under the provinces. The Central Minister of Education can wave his ministerial wand and convert a school from an ordinary school into a national school, thereby taking it under the control of the Centre. While the Provincial Council elections were on, the Minister of Education declared a number of schools in Ampara District to be National Schools.

### **Highways**

Thirteenth Amendment says National Highways are matters for the Centre. Who decides what a National Highway is? Under the Thoroughfares Ordinance, there is an amendment, Section 5A introduced in 1988 for the Minister, either to declare a road or a class of roads. So he has declared all A class roads and B class roads as National Highways. The roads connecting Trincomalee, Batticaloa, Kalmunai, Akkaraipattu and Pottuvil all along the eastern coast are either A or B - that is for the Centre.

## **Law & Order**

For over twenty years, the provisions on Police powers, Law & Order have not been implemented. The 13<sup>th</sup> Amendment to the Constitution devolved police powers to a certain extent on the Provinces and also provided for the establishment of Provincial Police Commissions. Yet, none of the Provinces other than the North-East showed any interest in establishing its Police Force. When she was the Chief Minister of the Western Provincial Council in 1993/94, former President Chandrika Kumaratunge insisted that the police powers be vested in the Provincial Councils, but she did not sign the relevant gazette notification when she became the Executive President.

In last years meeting of Chief Ministers a resolution was adopted to push for land and Police powers to the provinces. SLFP General Secretary and Minister Maithripala Sirisena has said in May 2008 that the Government would devolve all powers including police powers to the East in accordance with the 13<sup>th</sup> Amendment to the Constitution. Eastern Province Minister M.L.A.M. Hisbulla has also told recently that a three member committee would be appointed soon to grant land and police powers to the Provinces.

## **Paddy Cultivation**

In 2003, the Supreme Court unanimously held that paddy cultivation is a matter for the provinces. Even after that judgment the Provincial Councils still do not implement it. The Centre is not giving up and the Provincial Councils do not want to take over. This is the unfortunate situation.

## **Administration**

Article 154G about the power relating to executive matters. The Provincial Council have the power to make statutes. Unless and until statutes are made in respect of Provincial Council subjects and Concurrent Subjects, the Provincial administration will not be able to exercise executive powers. The average delay in the Attorney General's Department after a draft has been sent is 2-3 years and this is what has affected the administrative capacity of Provincial Councils.

## **Cabinet Ministerial Sub Committee**

The Cabinet Ministerial Sub Committee appointed for the full implementation of the Thirteenth Amendment has not met yet. The Minister of Constitutional Affairs is not a member of that Committee. Neither is Prof. Vitharana who is the Chairman of the APRC.

## **National Policy on Provincial and Concurrent List Subjects**

When the Thirteenth Amendment is the law of this country and if the 13<sup>th</sup> Amendment is to make any headway, what the Eastern Provincial Council could do is to pressurize the Government and tell them "Stop declaring national policy on Provincial and Concurrent list subjects without consulting us".

## **Specific Problems encountered by the North-East Provincial Council**

- (a) The elected North-East Provincial Council faced many problems from December 1988 to March 1990 with regard to the implementation of the powers devolved by the 13<sup>th</sup> Amendment. The 16 month administration of the first Provincial Council for the merged North East was mired in controversy and a fight for political survival. It was reported that the Muslims in the North East were harassed by province's ruling Eelam People's Revolutionary Liberation Front (EPRLF), the Eelam National Democratic Liberation Front (ENDLF), Tamil Eelam Liberation Organisation (TELO) and their guardian - the Indian Peace Keeping Force (IPKF).
- (b) On March 1, 1990, Varadharaja Perumal, the then Chief Minister of the merged N & E, convened a special meeting of the North Eastern Provincial Council and announced an ultimatum to Premadasa Government for the fulfillment of 19 demands of his party, EPRLF. The reason was that the Provisions of the 13<sup>th</sup> Amendment was not fully implemented.

### **(c) Problems in respect of the Administrative Structure**

The implementation of devolution of powers down to the grassroots level cannot take place without the Provincial Council exercising control over the District Kachcheri System, the Divisional Assistant Government Agents and the Grama Sevaka Officers. A request was therefore made to the President to transfer the District Kachcheris in the Province and the offices subordinate to it to the PC. The President was not agreeable to that request but decided on an alternate solution, which was, for both the PC and the Central Government to have control over the District Government Agents, while only the PC was to exercise control over the Divisional Assistant Government Agents and Grama Sevaka Officers.

Subsequently, the President even made the appointment of the Government Agent of Trincomalee without consulting the Chief Minister, and reversed the earlier directions regarding the provincial council control over the Divisional Assistant Government Agents and Grama Sevaka Officers.

The President also proceeded to elevate the Government Agents as District Secretaries on par with Provincial Secretaries. He also elevated Divisional Assistant Government Agents as Divisional Secretaries on par with Provincial Heads of Department. These executive actions frustrated devolution of powers. Thus, the institutional structure to implement devolution at the district level and below became a major problem, reducing the NEPC to a glorified Municipal Council in Trincomalee.

### **(d) Shortage of Management Services Personnel**

There is an acute shortage of engineers, accountants and administrators to work in the Provincial Council. The Centre was not at all helpful in meeting the requirements of the PCs. The NEPC took the next logical step of calling for applications and recruiting engineers and accountants. This was strongly resisted by the Central Ministry in charge of Public Administration. That Ministry even wrote to say that recruitment of engineers and accountants was the prerogative of

the Centre. When the NEPC was earlier pleading for engineers and accountants, that Ministry turned a deaf ear. It was at that stage that the Chief Minister A. Varatharajaperumal remarked that even if the Sinhala political leadership of Sri Lanka wished to keep the country united, the bureaucrats in the Centre would ensure the division of the country.

#### **(e) Sinhalisation of the Eastern Province**

After demerging of the East in October 2006, 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 Co-ordinator, 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 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 Sinhalization programme of the Eastern Province and not the full implementation of the 13<sup>th</sup> Amendment to the Constitution.

#### **Conclusion**

1. Most of the Sinhala Politicians particularly the leaders of MEP, JHU and JVP have an anti-devolution mindset.
2. The all island management services is not devolution-friendly.
3. The existing institutional structures in the Provinces and the Districts are not conducive for devolution.
4. Even after all the Provincial Councils came into existence, only the North-East Provincial Council - NEPC was clamouring for institutionalizing devolution of powers. The other Provinces waited for the benefits of devolution to accrue to them through the efforts of the NEPC.
5. All the three Lists of devolution given in the 9<sup>th</sup> Schedule to the Constitution are weighted in favour of the Centre, due to the unitary character of the Sri Lankan Constitution.
6. The unitary character of the Sri Lankan Constitution help the Sinhala majority Central authorities, most of whom have an anti-devolution mindset to infringe upon the powers devolved to the minorities.
7. Last twenty 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 is first got rid of.

#### **Actions necessary for the Implementation of the 13<sup>th</sup> Amendment.**

##### **Presidential Directive**

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.

## **1. Powers of Provincial Councils under the 13<sup>th</sup> Amendment**

The powers devolved fall under the Provincial List and the Concurrent List.

### **(a) Provincial List:**

A Provincial Council is empowered to make statutes applicable to the Provinces with respect to any matter in the Provincial List.

### **(b) Concurrent List:**

A Provincial Council is also empowered to make statutes applicable to that Provinces with respect to any matter in the Concurrent List after appropriate consultation with the Centre (Parliament).

The Centre (Parliament) is also empowered to make laws in respect of any matter in the Concurrent List after appropriate consultation with all the Provincial Councils.

**The Centre (Parliament) has been making laws on subjects in the Provincial List without any reference to the provinces by using the term “National Policy on all subjects and functions” which appears throughout the Reserved List.**

**Implementation of the subjects and functions devolved on the provinces through the Concurrent List has not taken place at all due to the fact that these subjects and functions were retained by the centre as if they also belonged to the Reserved List.**

## **2. Provincial Subjects Taken over by the Centre:**

Although certain subjects and functions are fully devolved, due to inadequate funding and administrative constraints, the Centre had taken over the following important provincial institutions and functions.

- (a) **Highways:** The Minister in charge of the subject of Highways has by arbitrarily defining ‘national highways’ has deprived the Provinces of several roads that should have been theirs. A definition for ‘national highways’ should be applied in future.

- (b) **Hospitals:** The Centre should have control only over Teaching Hospitals attached to medical faculties and special purpose hospitals. The other hospitals should be under the Provinces.
- (c) **Schools:** The Centre decided to classify certain schools as 'National Schools' and then take them over from the Provinces.
- (d) **Paddy Cultivation:** 'Agrarian Services' was a devolved subject. Yet, the Centre continues to hold on to the subject and the institutions connected with it.
- (e) **Social Service and Rehabilitation:** The subjects of Social Services, Relief and Rehabilitation, Co-operatives, and Indigenous Medicine are subjects that should be under the Provinces. But the Centre exercises a high degree of control over them by having Ministries for these subjects.

**The Cabinet of Ministers should take an executive decision immediately to rectify the above intrusions into Provincial functions.**

**The Government will not hereinafter initiate legislation on subjects and functions in the Provincial List, unless one or more Provinces request the Centre to do so.**

**The Government will not hereinafter initiate legislation on subjects and functions in the Concurrent List without consulting the Provincial Councils.**

### **3. Local Bodies:**

To achieve the objectives of the President as given in the guidelines, a Local Government Delimitation Commission should be appointed immediately in order to carry out the following:

- (a) Delimitation of ethnic oriented local bodies and administrative units including the state land and natural resources in proportion to the population.
- (b) Delimitation of the Grama Sabhas, Urban Council and Municipal Council areas and Wards.
- (c) In demarcating Grama Sabhas, Urban Councils and Municipal Councils areas and Wards, consideration should be given to the geography of the area, communication facilities, economic activities and community cohesiveness of the population within the area should be taken into consideration.
- (d) It should also be necessary to ensure that the boundaries of Pradeshiya Sabhas are co-terminus with the boundaries of administrative divisions under the Divisional Secretaries. However, this conditionality need not apply in Urban and Municipal areas.
- (e) The population figures for consideration should be the figures from the 2001 Census except for the Northern and Eastern Provinces wherein available authentic figures allowing for displacements (both internal and external) since 1983 should be used. The Census figures of 1981 should also be used as a guide in these two Provinces.

**The Minister in charge of Local Government has to present Bills to Parliament to enact a Grama Sabha Act and an Urban and Municipal Council Acts throughout the country. The enactment of these acts will entail consequent amendments to the Pradeshiya Sabhas Act, Urban Councils Act, Municipal Councils Act and the Local Authorities Elections Ordinance.**

#### **4. Provincial Administration:**

- (a) For effective devolution, the district administration should be under the Provincial Council.
- (b) The Government Agents should continue to be the representative of the Government in the Districts and perform functions on behalf of the Centre.
- (c) Additional Government Agent in a District and the Divisional Secretaries in that District be released to the Provinces to be appointed as the District Commissioners and Divisional Commissioners respectively under the Provincial Administration. The Grama Niladharis and all other staff required for provincial activities will also have to be released to form part of the Provincial Administration. This would imply that the appointment, transfer, dismissal and disciplinary control of the District Commissioners, Divisional Commissioners and Grama Niladharis and other staff attached to the district and divisional secretariats in a Province would vest with the Provincial Administration.
- (d) The area of authority of a Divisional Commissioner should be called the administrative division and the Grama Niladhari areas to be called a sub-division so as not to be confused with the area of authority of a Grama Sabha.

**The public administrative service which supports the activities of the Provincial Administration should be strengthened. There should also be a clear demarcation of duties between those serving the Province and the Centre.**

#### **5. Finance:**

The exercise of powers by the Provinces has been seriously limited due to inadequacy of funds. In order to remedy the situation the following measures are necessary.

- (a) The Finance Commission to make recommendations to release sufficient funds allocated in the Budget in order to maximize devolution to the Provinces.
- (b) As the Provincial Councils Act empowers a Province to raise loans on guarantees granted by the Central Minister of Finance, the Centre should facilitate action in this regard.
- (c) As stipulated in the provincial Councils Act all foreign aid negotiated for projects or schemes in a Province shall be allocated to the Provincial Council by the Sri Lanka Government for such projects or schemes.
- (d) The Centre should hereinafter route all finances in respect of special projects undertaken by the Centre in the Provinces, if they are on subjects under the purview of the Provinces, through the respective provincial Administrations.

**The Ministry of Finance should take necessary executive decisions in respect of these matters.**

#### **6. Police Powers and Law and Order:**

Appropriate action should be taken to ensure that police powers are devolved to the Provinces in terms of the 13<sup>th</sup> Amendment to the Constitution, the Police Commissions Act No. 1 of 1990 and the 17<sup>th</sup> Amendment to the Constitution.

The 13<sup>th</sup> Amendment devolves the subject of Law and Order on the Provinces. The composition of the National Police Commission is provided for in the 17<sup>th</sup> Amendment while the 13<sup>th</sup> Amendment provides for the establishment of Provincial Police Commission. It may be prudent to appoint a Senior DIG as head of every Provincial Police Division, as a Senior DIG will also fall into the category of DIGs referred to in the 13<sup>th</sup> Amendment.

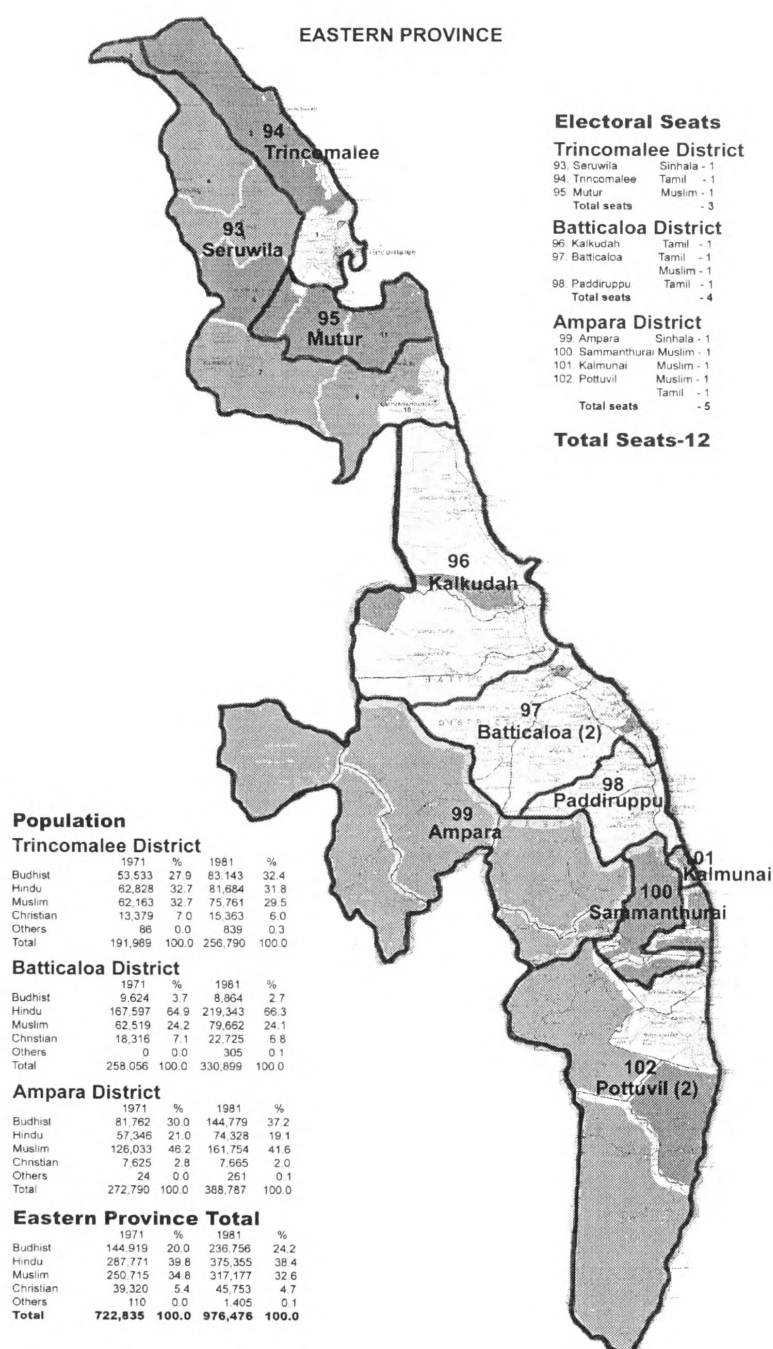
**It would therefore be necessary for the Cabinet of Ministers to take an executive decision to permit the Provinces to exercise powers on Law and Order as stipulated in the 13<sup>th</sup> Amendment.**

## 2. EASTERN PROVINCE

Eastern Province is 3,839 sq. miles in extent, bounded - North-Maha Oya, East-Bay of Bengal, South-Kumbukan Oya and West-Monaragala, Badulla, Matale, Polonnaruwa and Anuradhapura Districts. Originally Trincomalee and, Batticaloa were the two districts in this province.

1956 census recorded the following population:

	Trincomalee District	Batticaloa District	Eastern Province
Tamils	33,796 (46.47%)	102,264 (51.15%)	136,060 (49.90%)
Muslims	23,219 (31.93%)	85,805 (42.92%)	109,024 (40.00%)
Sinhalese	15,706 (21.60%)	11,850 (5.93%)	27,556 (10.10%)



Batticaloa District was divided into the present Ampara and Batticaloa Districts in 1961.

Detail of 1981 population in the Eastern Province

	<b>Trincomalee District</b>	<b>Batticaloa District</b>	<b>Ampara District</b>	<b>Eastern Province</b>
Tamils	93,510 (39.78%)	238,216 (72.59%)	79,725 (20.57%)	411,451 (42.42%)
Muslims	74,403 (29.26%)	79,317 (24.17%)	116,481 (41.66%)	315,201 (32.49%)
Sinhalese	89,341 (33.96%)	10,646 (3.24%)	146,371 (37.77%)	243,358 (25.09%)
<b>Total</b>	<b>245,250</b>	<b>328,170</b>	<b>387,577</b>	<b>970,010</b>

#### Population Growth in the Eastern Province from 1949 and 1981

Tamil population increased from 136,059 to 411,451 - 302%, Muslim population increased from 109,024 to 315,358 - 289%. The Sinhalese population increased from 27,556 to 243,358 - 883%, national average increased of Sinhalese population during this period is only 238%. The sudden increase of Sinhalese population in the Eastern Province is the result of Government planned Sinhala colonization in Gal-o-ya, Pannal-o-ya, Ambalam-o-ya in Ampara District and Kanthalai, Allai, Morawewa, Muthelikulam, Pathavia (Pait), and Mahadiluwera schemes in the Trincomalee District.

Registered Muslim Voters in the Eastern Province according to District and Electorates - 2004

#### 1. Electoral District No.13 Digamadulla

<b>Electorate</b>	<b>Total Voters</b>	<b>Muslims %</b>	<b>Muslim Voters</b>
A. Ampara	132,371	0.08	1,058
B. Sammanthurai	63,166	74.8	47,248
C. Kalmunai	60,456	69.6	42,077
D. Pottuvil	123,051	50.6	62,263
<b>Total</b>	<b>379,044</b>	<b>39.8</b>	<b>152,646</b>

#### 2. Electoral District No.12 Batticaloa

<b>Electorate</b>	<b>Total Voters</b>	<b>Muslims %</b>	<b>Muslim Voters</b>
A. Kalkuda	86,626	29.3	25,381
B. Batticaloa	141,190	34.2	48,286
C. Pattiruppu	76,112	0.7	532
<b>Total</b>	<b>303,928</b>	<b>24.6</b>	<b>74,199</b>

### 3. Electoral District No.14 Trincomalee

<b>Electorate</b>	<b>Total Voters</b>	<b>Muslims %</b>	<b>Muslim Voters</b>
A. Seruvila	63,161	13.7	8,653
B. Trincomalee	86,277	18.7	16,133
C. Mutur	74,869	66.1	49,488
<b>Total</b>	<b>224,307</b>	<b>33.2</b>	<b>74,274</b>

It is from the Eastern Province, Muslim Representatives are elected by the Muslims for the Muslims and today we have 11 Muslim MPP – 6 elected and 5 national list in the Parliament. It is for the first time in the history of the Eastern Province that we have 7 Muslim MPP as Ministers and Deputy Ministers.

### **Political Representation of Eastern Province**

Parliament General Election - 2004, Elected Members – 15 MPP

#### **Electoral District 13 – Digamadulla – 7 MPP**

##### **Peoples' Alliance – PA**

1. Mrs. Ferial Asraff
2. Mr. A.L. Athaullah

##### **United National Party – UNP**

1. Mr. B. Dayaratna

##### **Janatha Vimukthi Peramuna – JVP**

1. Mr. Vasantha Piyathissa

##### **Sri Lanka Muslim Congress – SLMC**

1. Mr. Fisal Mohamed Cassim
2. Mr. Mohamed Naushad Majeed

##### **Ilankai Tamil Arasuk Katchi – TNA**

1. Mr. Kanagasabai Pathmanathan

#### **Electoral District 12 – Batticaloa – 5 MPP**

##### **Ilankai Tamil Arasuk Katchi – TNA**

1. Mr. Thambanpillai Kanagasabai
2. M/s. Thangeswari Kathirawan
3. Mr. S. Geyananda Moorthi
4. Mr. Kinsly Irasanayagam

##### **Sri Lanka Muslim Congress – SLMC**

1. Mr. Amir Ali Sihabdeen

#### **Electoral District 14 – Trincomalee – 3 MPP**

##### **Ilankai Tamil Arasuk Katchi – TNA**

1. Mr. Ira Sambanthan
2. Mr. K. Thurairatnasingam

## **Sri Lanka Muslim Congress – SLMC**

1. Mr. Najeeb A. Majeed

## **Eastern Province National List – 7 MPP**

1. Mr. Rauff Hackeem
2. Mr. Hassan Ali
3. Mr. Segu Issadeen
4. Mr. Mohamed Mustaffa
5. Mr. Nijamudeen
6. Mr. Basil Rajapakse
7. Mr. Vinayakamoorthi Muralitharan

## **Present Position of Eastern Province MPP in Parliament**

### **Ruling United Peoples' Freedom Alliance – UPFA – 10 MPP**

1. Mrs. Ferial Ashraff
2. Mr. Athaullah
3. Mr. Segu Issadeen
4. Mr. Mohamed Mustaffa – Crossed-over from UNP
5. Mr. Basil Rajapakse
6. Mr. Nijamudeen – Crossed-over from SLMC
7. Mr. Amir Ali – Crossed-over from SLMC
8. Mr. Najeeb A. Majeed – Crossed-over from SLMC
9. Mr. Dayaratne – Crossed-over from UNP
10. Mr. Vinayakamoorthi Muralitharan

### **Opposition – 12 MPP**

1. Mr. Rauff Hackeem – SLMC
2. Mr. Hassan Ali – SLMC
3. Mr. Faizal Casim – SLMC
4. Mr. Naushad Majeed – SLMC
5. Mr. Ira Sambanthan – TNA
6. Mr. K. Thurairatnasingam – TNA
7. Mr. Kanagasabai Pathmanathan – TNA
8. Mr. Thambanpillai Kanagasabai – TNA
9. M/s. Thangeswari Kathirawan – TNA
10. Mr. S. Geyananda Moorthi – TNA
11. Mr. Kinsly Irasanayagam – TNA
12. Mr. Vasantha Piyathissa – JVP

## **Eastern Province Population – 2007**

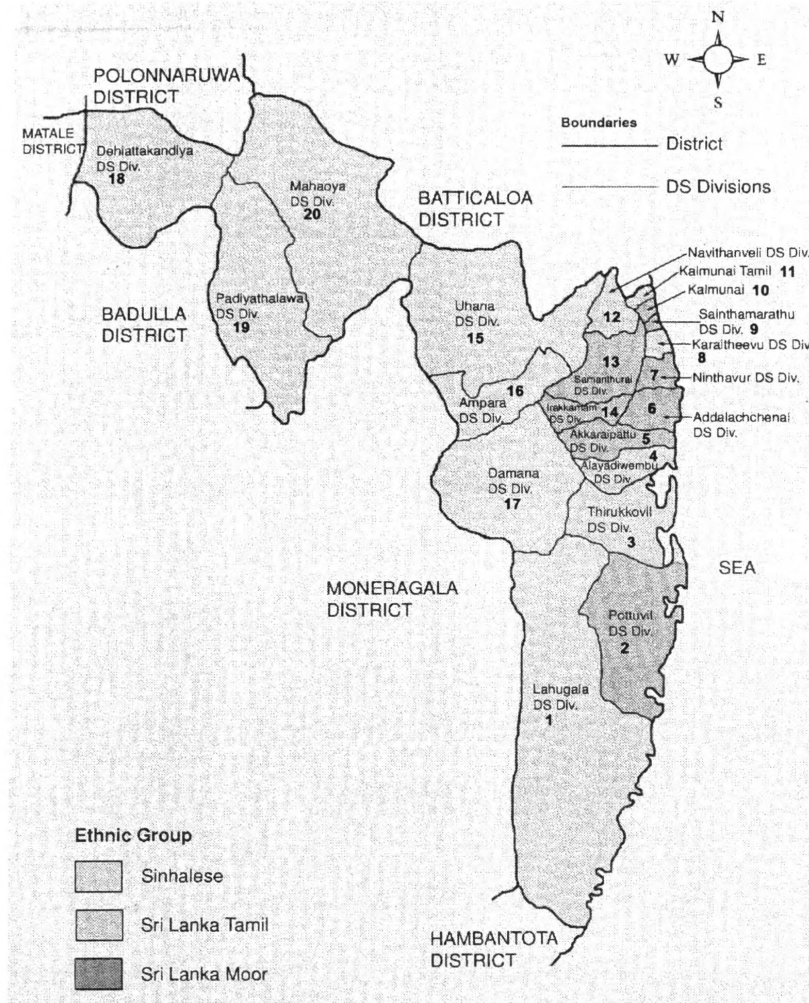
Tamils 641,608 – 41.4%, Muslims 593,001 – 38.2%, Sinhalese 316,192 – 20.4%, Total 1,550,801 – 100%.



## Ampara District

### Population in 2007

Muslims 268,793 - 44%, Tamils 112,935 - 18%, and Sinhalese 228,938 - 38%, Total 610,666 - 100%. Tamils speaking people 381,728 - 63%, and Sinhala speaking people 228,938 - 37%



### Ampara District Divisional Secretariat Divisions Land Area and Population - 2007

No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils	
						2007	%	2007	%	2007	%
Panamapattu											
01	Lahugala	8259	1.35	616.87	59.95	7500	90.8	-	-	758	9.2
02	Pottuvil	33625	5.51	367.50	244.09	667	2.0	26493	78.8	6444	19.2
Akkaraipattu											
03	Thirukkovil	24972	4.09	190.65	181.28	27	0.1	-	-	24934	99.8
04	Alayadiwembu	22289	3.65	127.50	161.80	142	0.6	42	0.2	22085	99.1
05	Akkaraipattu	37070	6.07	102.18	269.10	119	0.3	36864	99.4	79	0.2
06	Addalachenai	39721	6.50	52.50	288.35	1967	5.0	37349	94.0	404	1.0
Ninthavur-Karawahupattu											
07	Ninthavur	25652	4.20	55.62	186.22	9	0.0	24506	95.5	1129	4.4
08	Karaitheevu	16656	2.73	31.25	120.91	23	0.1	6534	39.2	10098	60.6
09	Sainthamarathu	25147	4.12	66.87	704.46	3	0.0	25144	100.0	-	-
10	Kalmunai	42852	7.02			48	0.1	42689	99.6	115	0.3
11	Kalmunai Tamil	29025	4.75			248	0.9	1957	6.7	26818	92.4
Sammanthuraipattu											
12	Navithanveli	18436	3.02	256.70	631.67	61	0.3	6026	32.7	12349	67.0
13	Sammanthurai	55592	9.10			81	0.1	48566	87.4	6939	12.5
14	Irakkamam	13006	2.13			759	5.8	11948	91.9	296	2.3
Wewagampattu											
15	Uhana	53262	8.72	415.62	386.64	53222	99.9	13	0.0	19	0.0
16	Ampara	39268	6.43	225.00	285.06	38668	98.5	317	0.8	245	0.6
17	Damana	35705	5.85	426.25	259.19	35560	99.6	116	0.3	16	0.0
Binthanapattu											
18	Dehiyattakandya	55930	9.16	432.50	406.01	55716	99.6	116	0.2	87	0.2
19	Pathiyathalawa	16451	2.69	466.37	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		610719	100.00	4433.38	4433.38	228938	37.5	268766	44.0	112855	18.5

## Political Representation

Parliament Members elected 13 - Muslims 9 - 69%, Tamil 1 - 8%, and Sinhalese 3 - 23%. Government Group 7 - Muslims 5, Tamil 0, and Sinhalese 2 and Opposition Group 6 - Muslims 4, Tamil 1, and Sinhalese 1. Tamil speaking 10 - 77%, and Sinhala speaking 3 - 23%

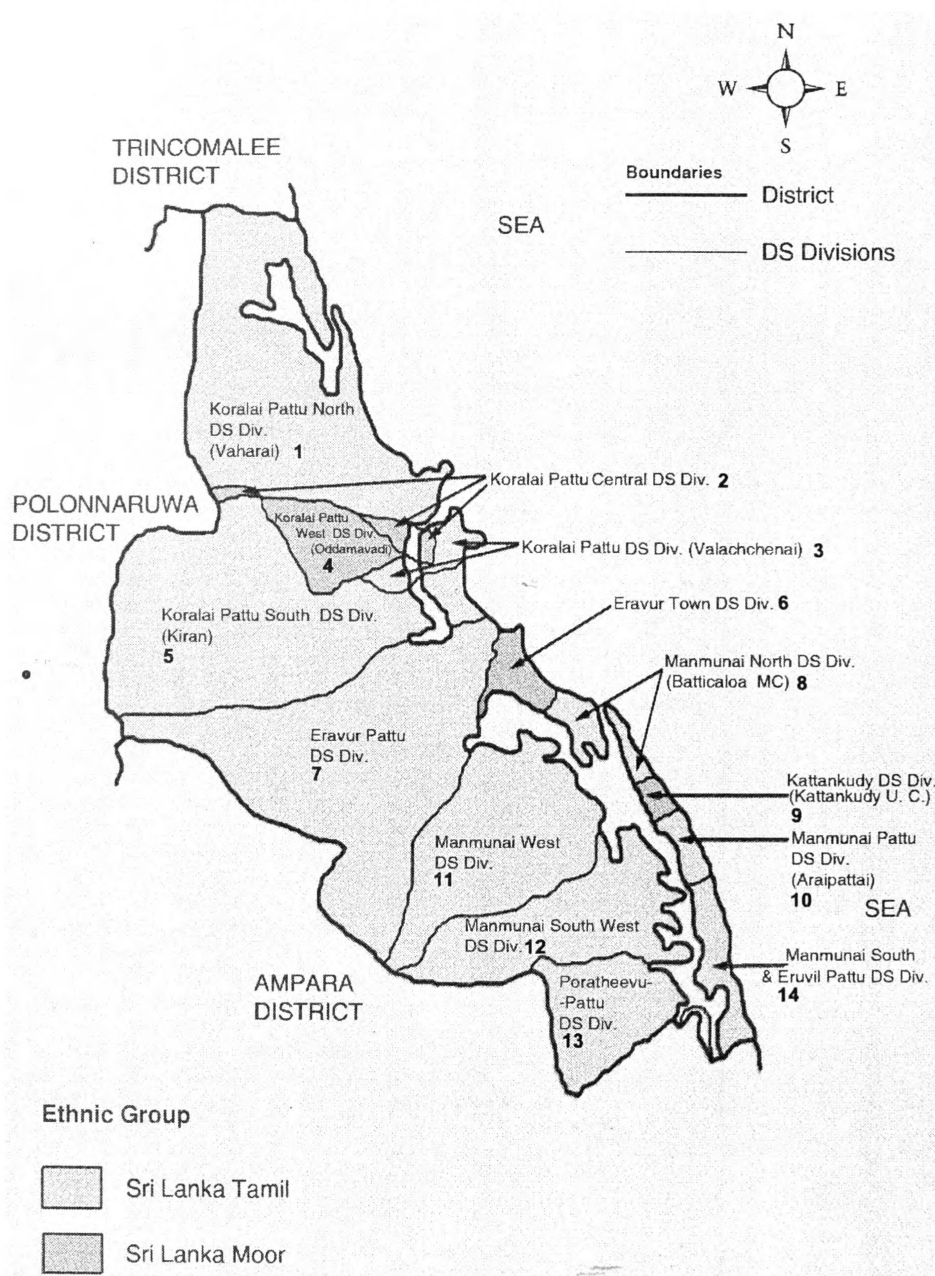
Provincial Council Members elected 14 - Muslim 7 - 50%, Tamils 3 - 21%, Sinhalese 4 - 29%. Government Group 8 - Muslims 3, Tamils 3, and Sinhalese 2. Opposition Group 6 - Muslims 4, Tamils 0, and Sinhalese 2. Tamil speaking 10 - 71%, and Sinhala speaking 4 - 29%

Divisional Secretariats 20 - Muslims 8, Tamils 5, and Sinhalese 7 and Sinhala speaking 7 - 35%. Tamil speaking 13 - 65%.

District Secretary - GA - Sinhalese. Main Language of Administration - Sinhala.

## Batticaloa District

### Batticaloa District Divisional Secretariat Divisions Land Area and Population - 2007



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils	
						2007	%	2007	%	2007	%
Koralaipattu											
01	Koralaipattu North	21263	3.80	550.00	100.01	1	0.0	-	-	21262	100.0
02	Koralaipattu Centre	24510	4.38		115.33	84	0.3	23421	95.6	1005	4.1
03	Koralaipattu	44226	7.90	484.50	208.01	76	0.2	35	0.1	44115	99.7
04	Koralaipattu West	45495	8.12	176.00	213.98	87	0.2	44253	97.3	1155	2.5
05	Koralaipattu South (Kiran)	19659	3.51		92.41	7	0.0	-	-	19652	100.0
Eravurpattu											
06	Eravur Town	25024	4.47	3.74	117.69	4	0.0	21447	85.7	3573	14.3
07	Eravurpattu	75886	13.55	634.10	356.91	1430	1.9	13333	17.6	61123	80.5
Manmunaiipattu											
08	Manmunai North	88459	15.80	75.90	416.05	226	0.3	3925	4.4	84308	95.3
09	Kattankudy	39523	7.06	3.89	185.89	-	-	39517	100.0	6	0.0
10	Manmunaiipattu	30747	5.49	31.72	144.61	1	0.0	6541	21.3	24205	78.7
Manmunai West											
11	Manmunai West	25025	4.47	292.70	117.70	1	0.0	-	-	25024	100.0
12	Manmunai South-West	23988	4.28	161.60	112.82	199	0.8	-	-	23789	99.2
Manmunai Eruvilpattu											
13	Poraitheevupattu	38282	6.84	167.20	180.05	354	0.9	-	-	37928	99.1
14	Manmunai South Eruvilpattu	57917	10.34	52.50	272.40	18	0.0	3	0.0	57896	100.0
Total		560004	100.00	2633.85	2633.85	2488	0.4	152475	27.2	405041	72.3

### Population in 2007

Tamils 404,434 - 72%, Muslims 152,485 - 27%, Sinhalese 2,397 - 0.4%, and Burgers 2,412 - 0.4%, Total 561,728. Tamil speaking people 559,331 - 99.6%, and Sinhala speaking people 2,397 - 0.4%

### Political Representation

Parliament Members elected 5 – Tamils 4 - 80%, Muslims 1 - 20%. Government Group 1 – Muslims 1. Opposition Group 4 – Tamils 4. Tamil speaking people 5 - 100%.

Provincial Council Members elected 11 – Tamils 6 - 55%, Muslims 5 - 45%. Government Group 6 – Tamils 3, and Muslims 3. Opposition Group 5 – Tamils 3, and Muslims 2. Tamils speaking people 11 - 100%.

Divisional Secretariats 14 – Tamils 10, and Muslims 4. Tamils speaking people 14 - 100%.

District Secretary - GA – Tamil. Language of Administration – Tamil.

### Trincomalee District

#### Population in 2007

Muslims 152,064 - 44%, Tamils 112,874 - 32%, and Sinhalese 84,766 - 24%, Total 349,704 - 100%. Tamils speaking people 264,938 - 76%, and Sinhala speaking people 84,766 - 24%

### Political Representation

Parliament Members elected 3 – Tamils 2 - 67%, and Muslims 1 - 33%. Government Group 1 – Muslims 1. Opposition Group 2 – Tamils 2. Tamil speaking people 3 - 100%.

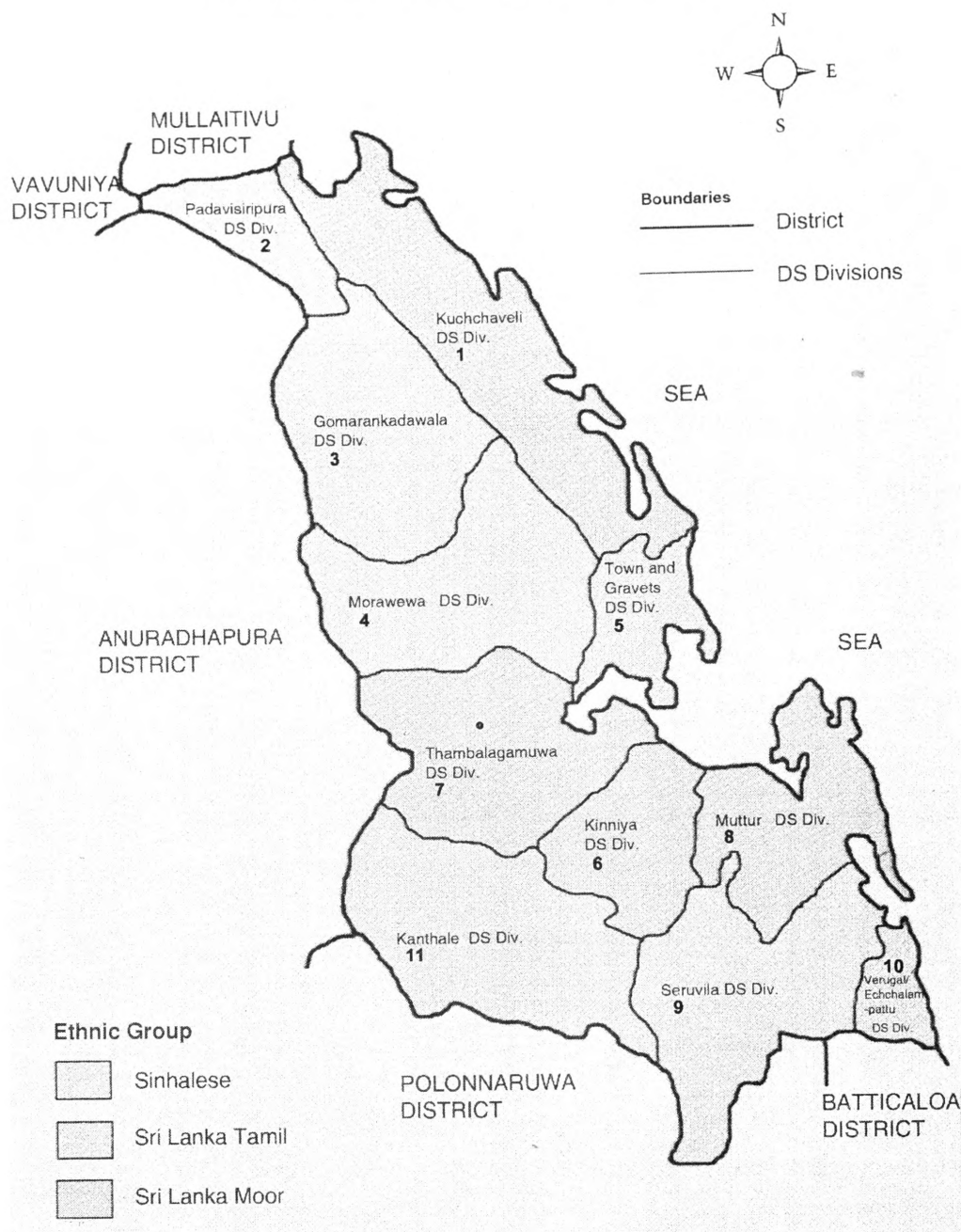
Provincial Council Members elected 10 - 100%. Muslims 5 - 50%, Sinhalese 3 - 30%, and Tamils 2 - 20%. Government Group 4 – Muslims 2, and Sinhalese 2. Opposition Group 6 – Muslims 3, Tamils 2, and Sinhalese 1. Tamil speaking people 7 - 70%, and Sinhala speaking people 3 - 30%

Divisional Secretariats 11 – Sinhalese 5, Muslims 4, and Tamils 2. Tamils speaking people 6 - 55%, and Sinhala speaking people 5 - 45%

District Secretary - GA – Sinhalese. Language of Administration – Sinhala.

# Trincomalee District Divisional Secretariat Divisions

## Land Area and Population – 2007



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils	
						2007	%	2007	%	2007	%
Kattukulampattu East											
01	Kuchchaveli	26327	7.87	313.30	207.14	412	1.6	18971	72.1	6935	26.3
02	Padavisiripura	10666	3.19	217.10	83.92	10664	100.0	0	0.0	1	0.0
Kattukulampattu West											
03	Gomarankadawela	5879	1.76	285.00	46.26	5855	99.6	0	0.0	22	0.4
04	Morawewa	5563	1.66	322.40	43.77	4065	73.1	954	17.1	544	9.8
Town and Gravette											
05	Town and Gravette	89046	26.63	148.00	700.62	16837	18.9	12483	14.0	59633	67.0
Kinniya Division											
06	Kinniya	61558	18.41	146.90	484.34	0	0.0	59055	95.9	2503	4.1
07	Thambalakamam	27572	8.25	244.40	216.94	6005	21.8	16802	60.9	4352	15.8
Kottiyarpattu											
08	Mutur	47132	14.10	179.40	370.84	146	0.3	34080	72.3	12531	26.6
09	Seruvila	11142	3.33	279.00	87.67	7152	64.2	2079	18.7	1876	16.8
10	Echchilampattu	6617	1.98	98.00	52.06	0	0.0	0	0.0	6617	100.0
Kandalai Division											
11	Kandalai	42861	12.82	397.30	337.23	33630	78.5	7595	17.7	1605	3.7
Total		334363	100.00	2630.80	2630.80	84766	25.4	152019	45.5	96619	28.9

### **3. EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008**

#### **Election**

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

Government and its supporting parties claim that the Eastern Provincial Council Election was free and fair. But all the opposition parties and Election Monitors have complained that the election was not free or fair. According to the UNP this was the most corrupt election in the history of country's elections. The JVP stated that the democratic rights of the Eastern people to elect their representatives freely had been violated at this election.

The average votes polled during 2004 General Election in the Eastern Province was 77% of the registered votes. But the average votes polled in 2008 Provincial Council election was only 60%. More than 17% - 100,000 of the registered voters were not allowed to cast their votes.

For all the government's boasts about winning a mandate from the East, the real difference in votes is just 58,154 and this include rigging, ballot box stuffing and impersonation. This could be subject to significant changes depending on party alliances, ground conditions and voter turnout at the time of future elections. The general elections must be held by April 2010 and the next Presidential Poll is due in November 2011.

#### **Chief Minister Episode**

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.

Pillayan nominated 14 members from his group into the UPFA list while the Muslims nominated 15 names representing the different Muslim factions – five from Athaulla faction, five from Amir Ali, one from Ferial Ashraff and four from Hizbullah.

The election results reflected the mood of the people in the province with the UPFA's 18 elected members comprising, eight Muslims, six Tamils and four Sinhalese whilst the UNP – SLMC list returned nine Muslims four Tamils and two Sinhalese. The JVP and the TDNA returned one Sinhalese and one Tamil respectively.

When analyzing the overall ethnic 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 seven Sinhalese elected to the council.



Although the Muslims command a majority in the council, the government presented various arguments to change the promise with regard to the appointment of Chief Minister.

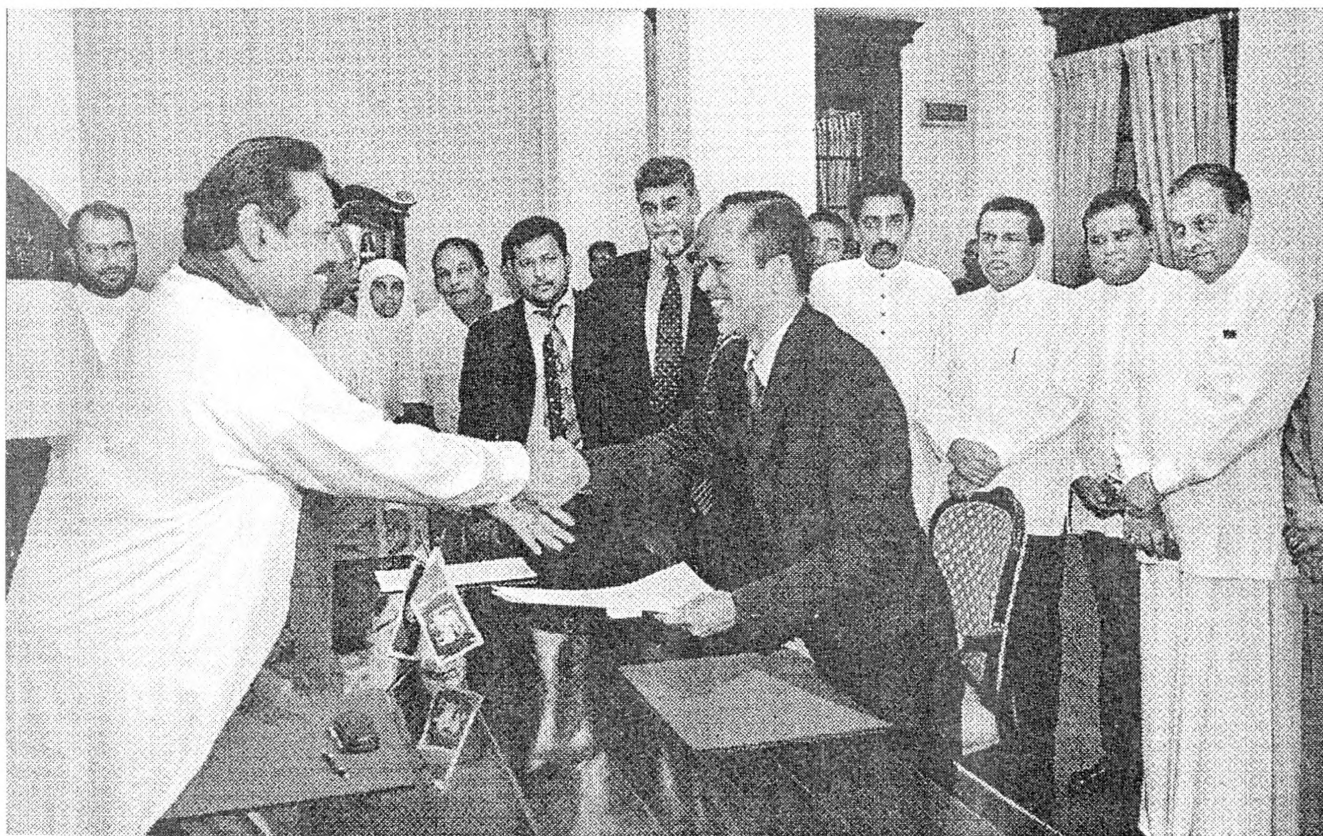
Faced with these odds, the government had to make a case for appointing Pillayan as Chief Minister and evolved a strategy to break up the UPFA Muslim representation in a manner that would show the TMVP-Tamils as having secured the largest number of seats. The idea was to break up the eight Muslim members elected on the UPFA into separate groups.

Accordingly, they prepared a table showing the ruling 18 UPFA members elected to be Muslims - 4 from the Athaulla group, 3 from Ameer Ali – Hisbullah group and 1 Hassan Moulavi. Tamils - 6 from the TMVP and Sinhalese 4, and appointed TMVP Pillaiyan as the Chief Minister.

Although the Eastern Province Muslims have lost the Chief Minister position, the attraction of Provincial Ministerial portfolio was too much for Hisbullah to resist.

Addressing the media after taking oaths, Hisbullah said after a lengthy discussion with Muslim leaders, intellectuals and Ulamas, he had decided to work with the Eastern Province Chief Minister to bring harmony among the Tamil and Muslim community as well as the security of Muslims and the development of the Eastern Province.

#### **Hisbullah takes oath as Eastern Provincial Council Minister**



# EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008

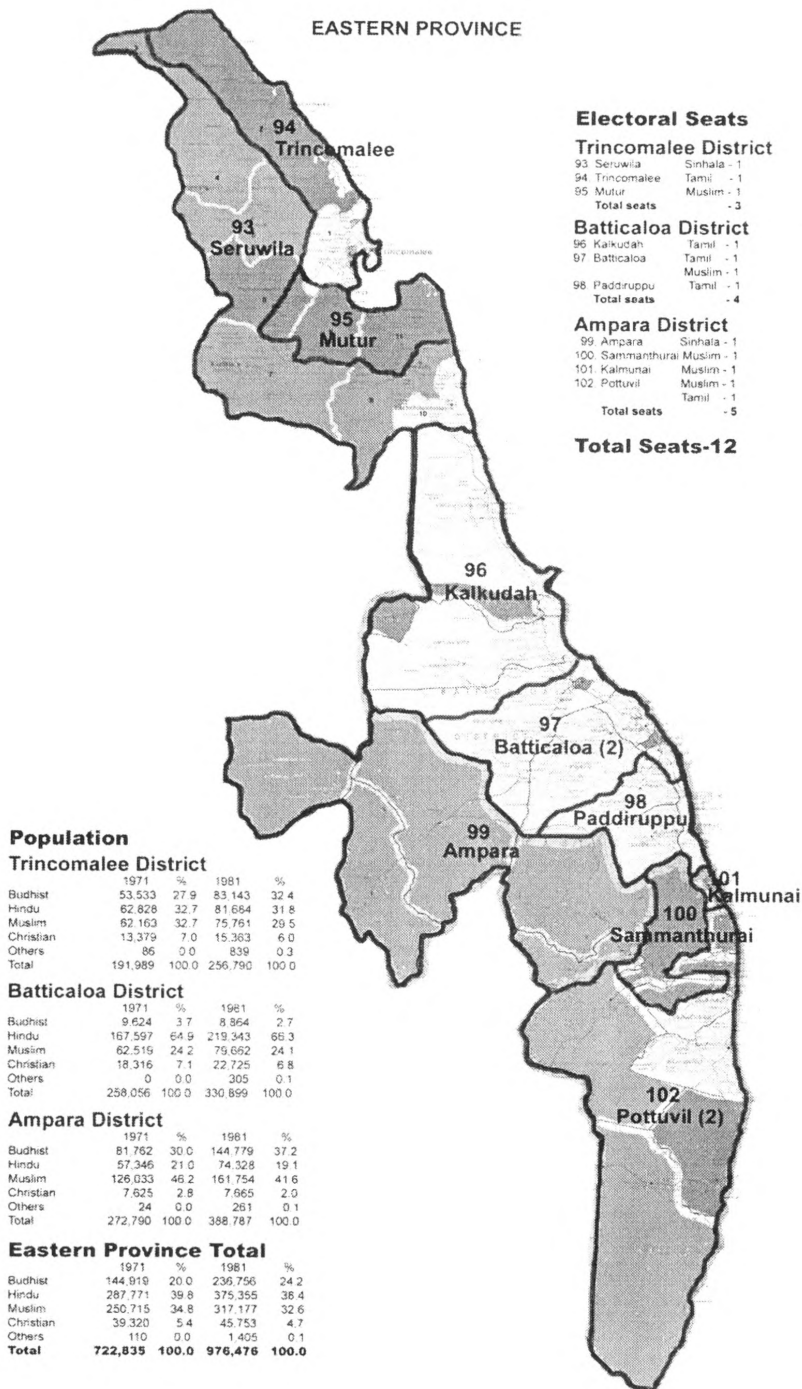
## FINAL RESULT

Ampara District	
UPFA	144,247 - Seats 8
UNP	121,272 - Seats 6
PLF	4,745
UNF	597
NSU	312
USP	296
PFLT	63
Registered Votes	409,308 - 100%
Valid Votes	272,392 - 66.55%

Batticaloa District	
UPFA	105,341 - Seats 6
UNP	58,602 - Seats 4
TDNA	7,714 - Seats 1
EPDP	5,418
USP	943
PLF	379
PFLT	157
Registered Votes	330,950 - 100%
Valid Votes	181,355 - 54.80%

Trincomalee District	
UNP	70,858 - Seats 5
UPFA	59,298 - Seats 4
PLF	4,266 - Seats 1
USP	1,309
IND-18	468
EDF	459
PFLT	163
Registered Votes	242,463 - 100%
Valid Votes	137,929 - 56.89%

**Total Registered Votes - 982,721 - 100%**  
**Total Valid Votes Polled - 591,676 - 60.2%**  
**UPFA - 308,886 - 52.2%**  
**UNP - 250,732 - 42.4%**  
**Majority - 58,154**



**COMPARISON OF VOTING RESULTS**  
**EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008**

Political Parties	General Election 2001		General Election 2004		Provincial Council Election 2008	
<b><u>Ampara District</u></b>						
UNP	58,468		39,883		121,272	
UPFA	65,246		106,227		144,247	
SLMC	75,257		75,134		-	
TULF	48,789		54,708		-	
JVP	-		-		4,745	
JHU	-		945		-	
Registered Votes	360,497	100%	379,044	100%	409,308	100%
Votes Polled	280,215	77.73%	292,172	77.08%	272,392	66.35%
<b><u>Batticaloa District</u></b>						
UNP	22,638		3,317		58,602	
UPFA	25,705		25,422		105,341	
SLMC	26,725		41,856		-	
TULF	86,284		157,669		-	
EPDP	-				5,418	
TDNA	-				7,714	
Registered Votes	282,079	100%	303,928	100%	330,950	100%
Votes Polled	179,108	63.50%	234,025	77%	181,355	51.80%
<b><u>Trincomalee District</u></b>						
UNP	62,930		14,228		70,858	
UPFA	32,997		21,690		59,298	
SLMC	-		63,548		-	
TULF	56,121		67,063		-	
EPDP	-				-	
JVP	-				4,266	
Registered Votes	212,280	100%	224,307	100%	242,463	100%
Votes Polled	161,138	75.90%	172,716	77%	137,929	56.89%
<b>Total Registered Votes</b>	<b>854,856</b>	<b>100%</b>	<b>907,279</b>	<b>100%</b>	<b>982,721</b>	<b>100%</b>
<b>Total Votes Polled</b>	<b>620,461</b>	<b>72.58%</b>	<b>698,913</b>	<b>77.20%</b>	<b>591,676</b>	<b>60.20%</b>



# **EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008.**

## **ETHNIC COMPOSITION OF ELECTED REPRESENTATIVES.**

UPFA			UNP			TDNA	JVP
Muslims	Tamils	Sinhalese	Muslims	Tamils	Sinhalese	Tamils	Sinhalese
<b>Batticaloa District</b>							
J.S. Mohamed	Pillayan		Basheer S.D.	Sasikaran		R.Thurairathnam	
36,419	41,931		23,324	11,021		1,752	
Hizbullah	Jeyam		Dr. Ameerdeen	Masilamani			
35,949	23,456		12,158	8,042			
Subair	Predeep						
35,612	22,666						
<b>Ampara District</b>							
Dr.M Lebbe	Pushperajah	Dissanajake	Hasanali		Daya Gamage		
27,994	43,551	42,468	56,275		36,991		
Uthumalebbe	Navaratnarajah	Deveperuma	Majeed		Galapathi		
26,019	42,792	32,692	29,716		18,147		
Dulkarnain	Selvarajah		Jaward				
25,671	41,105		22,253				
			Jameel				
			20,961				
<b>Trincomalee District</b>							
Hassan Moulavi		Gunsekara	Rauff Hackeem	Parasuraman			Piyathissa
16,640		22,393	39,771	13,226			932
Faiz		Galapathi	Thaoufiq	Rajah			
9,648		11,219	20,822	12,686			
			Mahroof				
			14,041				

	Muslims	Tamils	Sinhalese	Total	
UPFA	8	6	4	18	+ 2 = 20
UNP	9	4	2	15	
TDNA	-	1	-	1	
JVP	-	-	1	1	
Total	17	11	7	35	+ 2 = 37

### **New Ministers of Eastern Provincial Council**

1. **S. Chandrakantan** - Chief Minister, Minister of Finance, Justice, Plan, Implementation, Human Resources Development, Public Administration, Tourism, Resettlement and Rehabilitation.
2. **T. Navarathnaraja** - Minister of Agriculture, Live Stock Development, Fisheries and Rural Development.
3. **W. Dissanayake** - Minister of Land, Education and Cultural Affairs, Religious Affairs.
4. **M.S. Udumanlebbe** - Minister of Highway, Irrigation, Housing Construction and Rural Electification.
5. **M.L.A.M. Hisbullah** - Minister of Health and Indigenous Medicine, Social Welfare, Probation and Child Care Services, Women's Affairs, Youth Affairs, Sports, Information Technology, Co-op Development and Food Supply and Distribution.

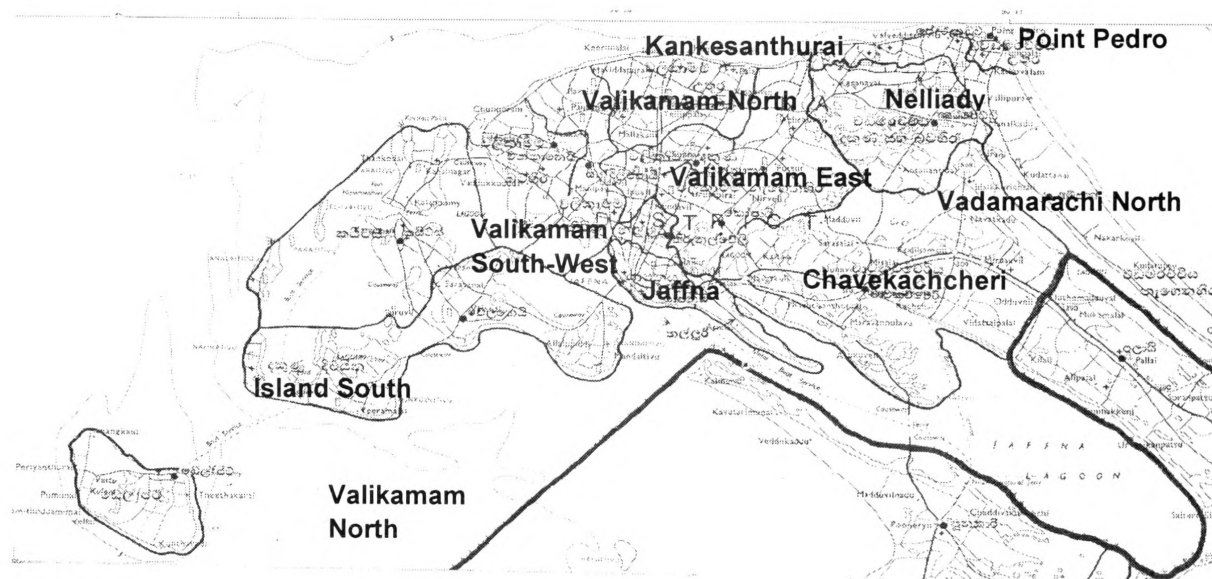
## 4. NORTHERN PROVINCE

The Northern province comprises 3,429 sq. miles and the population according to 1981 census was 1,111,468. Tamils 92%, Muslims 5%, and Sinhalese 3%. The Jaffna peninsula is approximately 440 sq. miles and it is in this 12.8% of land area that the 67%-738,788 of the Northern Province people live. All the Tamil militant groups and political parties have their base in the Jaffna peninsula and operate from there. All other districts in the Northern province-Mannar, Vavunia, Mullaitheivu, and Kilinochi has a land area of 2,989 sq. miles – 82% of the land area of the Northern province but the population is only 370,616 which is 33% of the population of the Northern province.

### Jaffna Muslims

Muslims were living in more than 153 locations in fairly large numbers when the forcible expulsion took place in Jaffna in October 1990. Of these, Jaffna town had the largest concentration of nearly 90 percent of the total Muslims in the peninsula. Even within the Jaffna town, Moor Street had the biggest concentration of about 75 percent. It is only from the Moor Street that the Muslims went to other locations in the district. Moor Street of Jaffna was an educational and cultural center of the Muslims.

The Moor Street had 17 mosques, 6 government schools, 4 large Quran and Arabic Madrasas (Schools) and many other institutions fostering Muslim religion and culture. In fact, the economic activities of Muslims in Jaffna were influenced by the city. According to informations gathered in the Refugee Survey 1991, about 45 percent of the reported heads of household were engaged in different types of trade and commercial activities in the city while another 35 percent were reported to be engaged in some form of service related occupations like tailoring, repairing and transport.

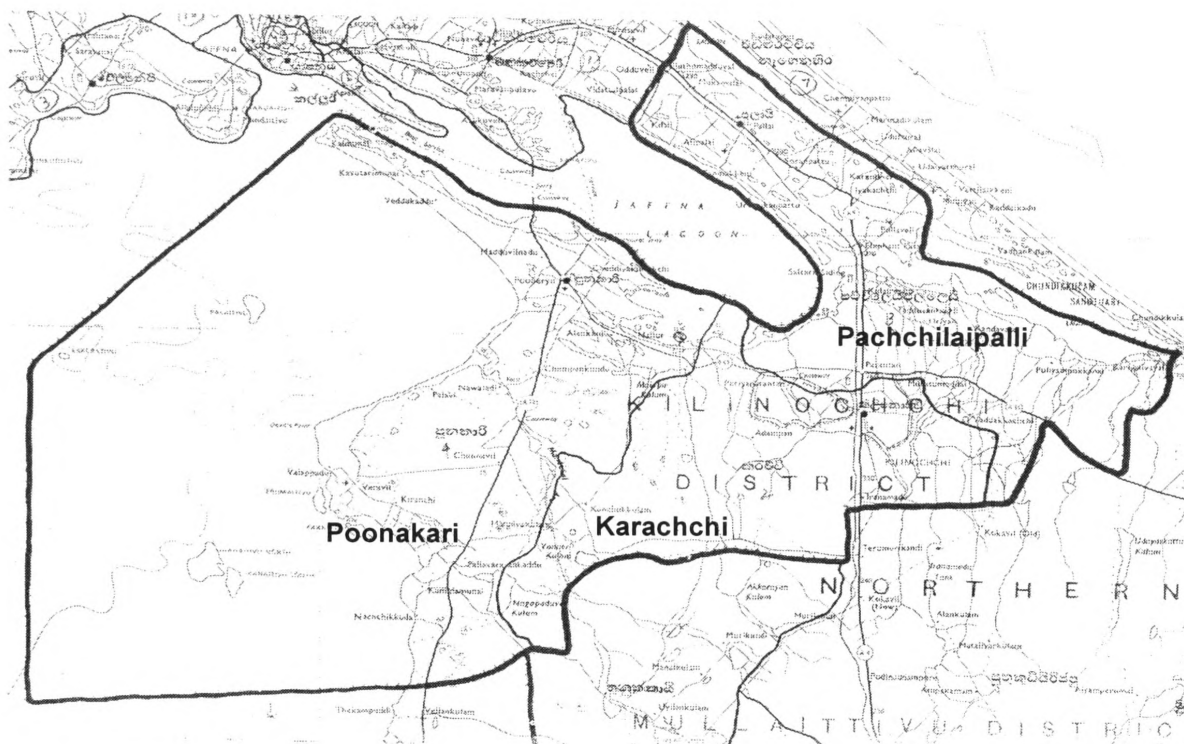


## Population - Ethnic Groups in JAFFNA DISTRICT - 1981

A.G.A. Division	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Jaffna	118,215	1,446	103,642	1,986	<b>10,857</b>	242	17	25
Chavakachcheri	19,640	55	18,881	112	<b>589</b>	2	-	1
Point Pedro	15,087	25	14,657	224	<b>171</b>	-	1	9
Nelliady	13,941	32	13,795	64	<b>50</b>	-	-	-
Kankesanthurai	14,587	380	14,051	85	<b>46</b>	20	5	-
Chunnakam	17,164	1,224	15,732	117	<b>88</b>	-	1	2
Island South	38,475	37	38,106	173	<b>158</b>	-	-	1
Valikamam North	57,627	438	56,846	211	<b>127</b>	2	2	1
Valikamam East	59,366	169	58,736	390	<b>60</b>	6	1	4
Thenmarachchi	51,905	108	51,567	131	<b>93</b>	3	2	1
<b>Total</b>	<b>406,007</b>	<b>3,914</b>	<b>386,013</b>	<b>3,493</b>	<b>12,239</b>	<b>275</b>	<b>29</b>	<b>44</b>

### Kilinochchi Muslims

In the Killinochchi district, there were only five large Muslim settlements before the forcible expulsion in October 1990. Most of the Muslims were farmers, fisherman and cattle breeders.

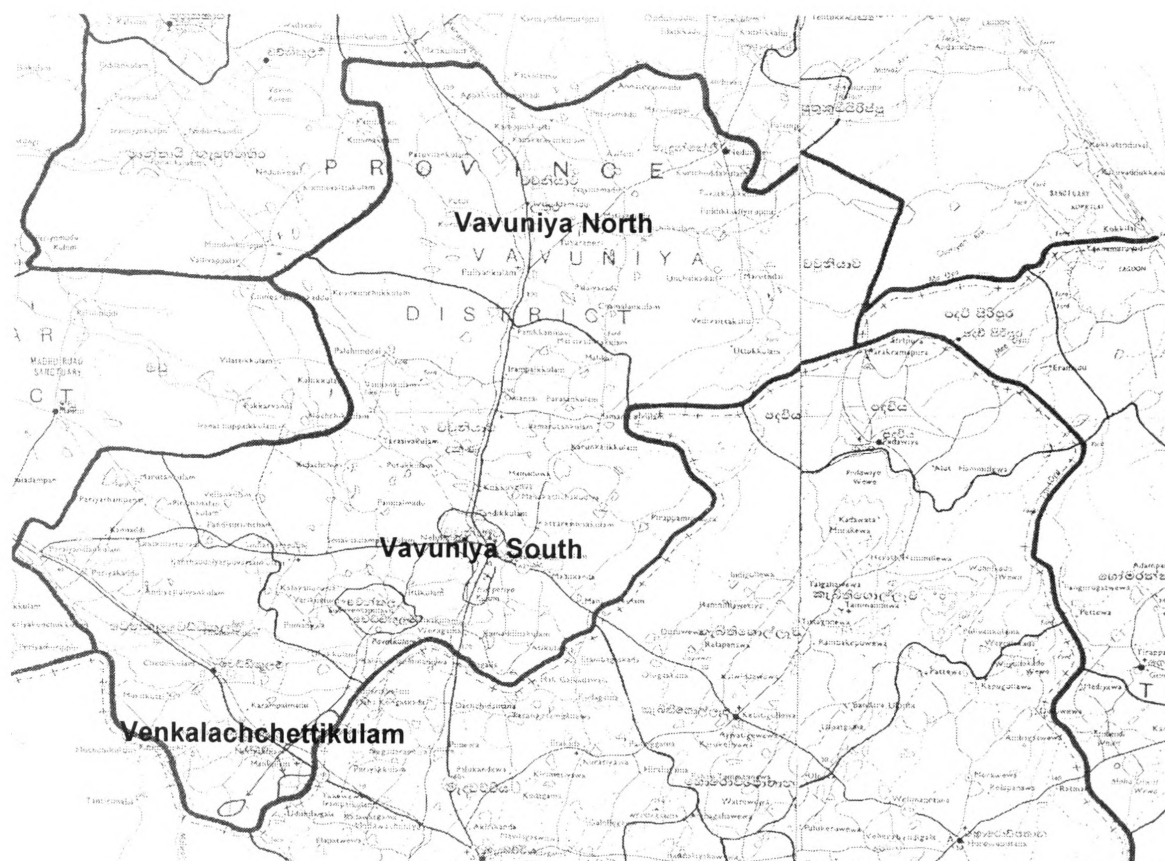


Population - Ethnic Groups in KILINOCHCHI DISTRICT - 1981								
A.G.A. Division	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Pachchilaipalli	18,880	180	18,091	496	97	16	-	-
Poonakari	13,930	53	13,264	148	464	-	-	1
Karachchi	67,710	640	51,723	14,520	754	50	3	20
<b>Total</b>	<b>100,520</b>	<b>873</b>	<b>83,078</b>	<b>15,164</b>	<b>1,315</b>	<b>66</b>	<b>3</b>	<b>21</b>

### Vanni Muslims

The Muslims of the Vanni Region had social and cultural bonds with their counterparts in the rest of the districts in the Northern Province, namely: Jaffna, Mannar, Kilinochchi and Mullaitivu. Many Muslim concentrations in the southern part of Vavuniya have had family connections with the Muslims of Mannar and Mullaitivu.

The majority of the Muslims in the Vanni were engaged in farming and fishing. Farming was carried out using irrigation tanks available in the villages. They cultivated paddy during a single season only, as they concentrated on highland cultivation during the other seasons. Muslim concentrations in Vavuniya Town and in the surrounding villages were considerably high. In fact, Vavuniya Town was one of the places of dominance of Muslim businessmen.



### Population - Ethnic Groups in VAVUNIYA DISTRICT - 1981

A.G.A. Division	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Vavuniya South	62,844	15,317	34,432	9,953	<b>2,949</b>	14	16	163
Vavuniya North	11,703	218	8,009	3,396	<b>52</b>	6	9	13
Venkalachcheddikulam	21,347	341	12,100	5,243	<b>3,639</b>	1	6	17
<b>Total</b>	<b>95,894</b>	<b>15,876</b>	<b>54,541</b>	<b>18,592</b>	<b>6,640</b>	<b>21</b>	<b>31</b>	<b>193</b>

#### Mannar Muslims

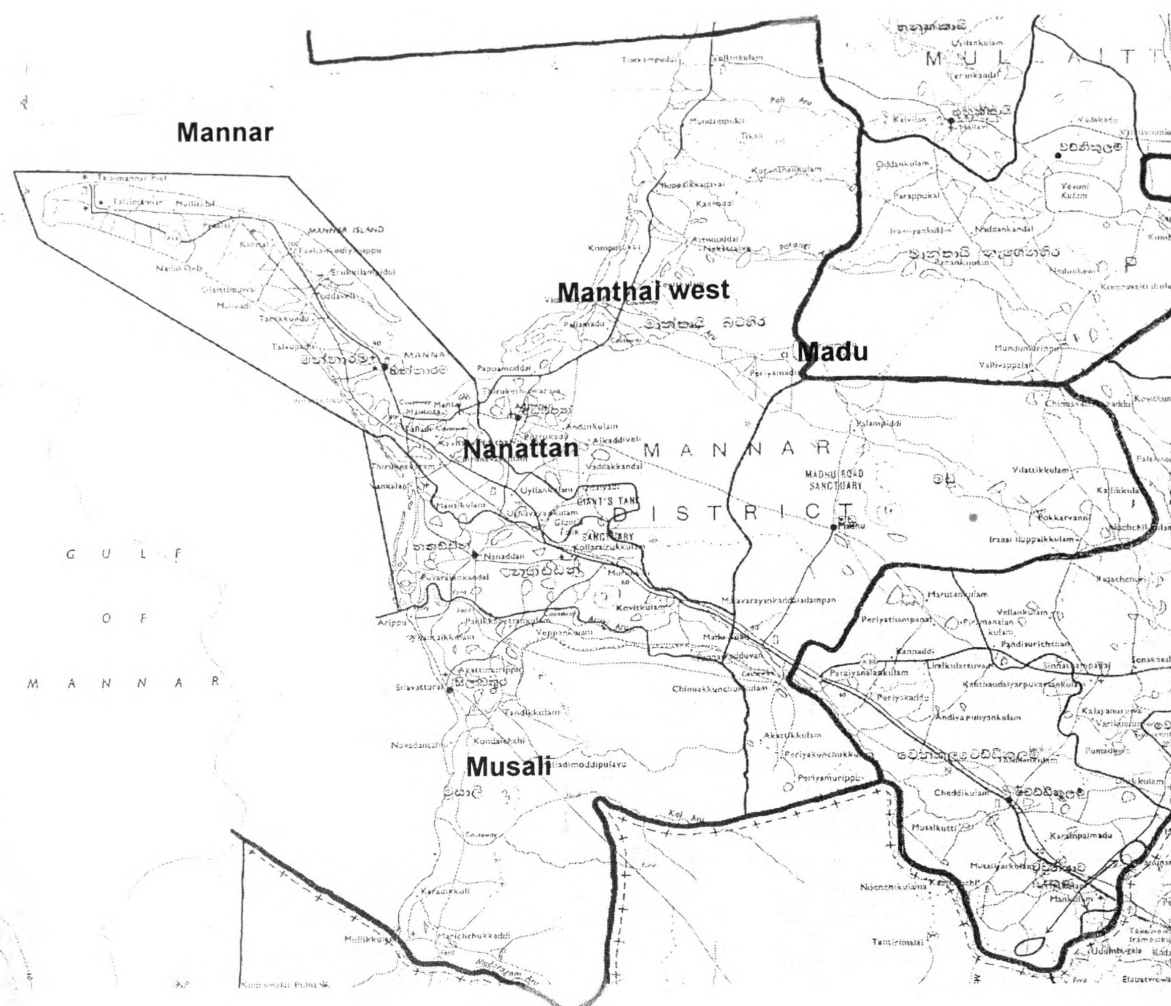
The Muslims of Mannar Island were traditionally involved in pearl and conch diving activities for centuries. The extinction of the pearl oyster from the Gulf of Mannar and the decline in conch exports to India were the causes of the decline of such activities in recent times. Muslims engaged in these activities have, however, switched to the beach? It must be mentioned that Muslim fishermen from Erukkalampiddy, Pesali, Talaimannar and Puttukuddiiruppu enjoyed fishing rights in the sea area of the Mannar Island. The island Muslims who were engaged in fishing activities possessed boats, nets and diving equipment and invested billions of rupees on these ventures. It was all lost along with their loss of occupations with their eviction from the (Mannar) island.

Mannar Island was thriving with coconut and palmyrah cultivation and connected activities. Unlike palmyrah, coconut cultivation was carried out in a systematic manner. While the majority of the Christians were fishermen, the Muslims were farmers of a different sort. Goat farming was one of those activities in which the Muslims excelled. The eviction was a big blow to their regular income resulting in the loss of the properties referred to above.

Historically, the Musali region was well known for pearl mining. Pearl oysters were found in the southern part of the Mannar Gulf, which forms the coast of the Musali region. Muslims (Arabs and Indians) came to the Musali coast for pearl mining activities.

Paddy and livestock farming and fishing were the major economic activities of the region in the recent past. More than 75 percent of the total employed population among Muslims were engaged in farm related activities. Paddy cultivation was mainly done using a big irrigation scheme called Agathimurippu Scheme and a relatively small irrigation scheme known as Viyayadi Scheme. While paddy cultivation was their main source of livelihood, the people of the coastal villages were engaged in fishing activities.



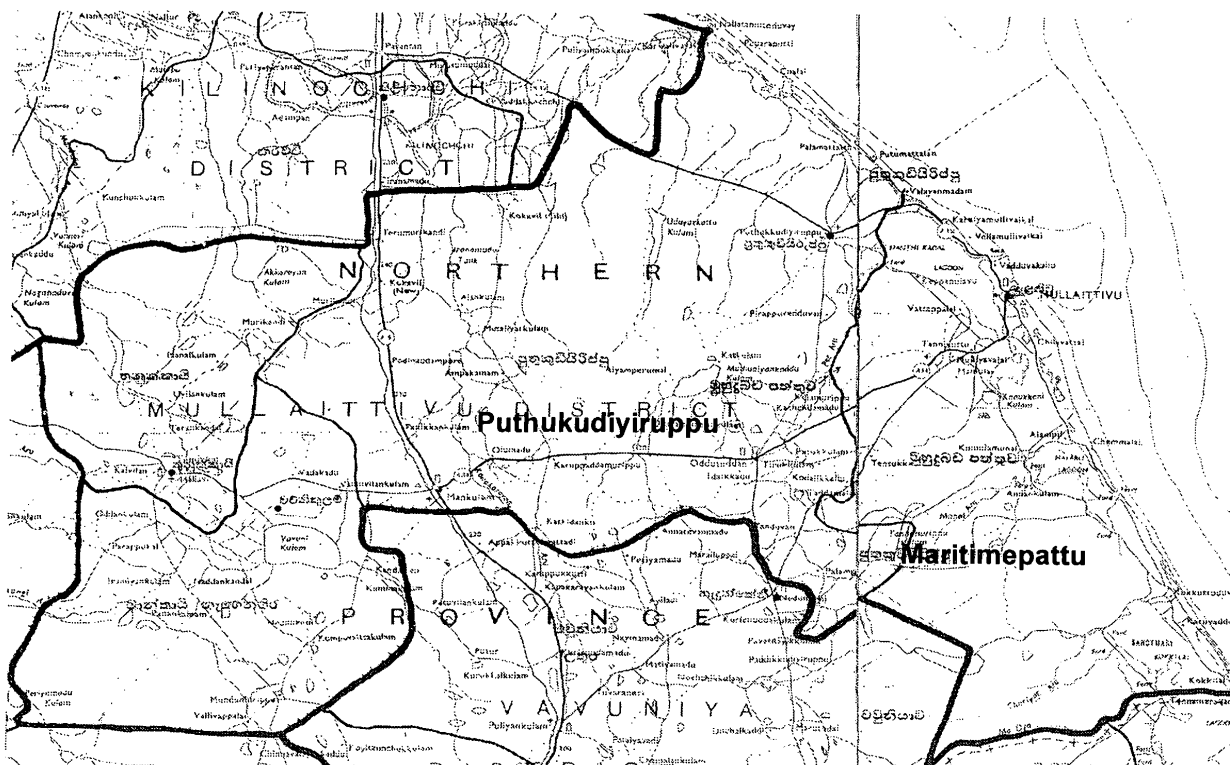


**Population - Ethnic Groups in MANNAR DISTRICT - 1981**

A.G.A. Division	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Mannar	49,114	5,761	23,744	5,116	<b>12,999</b>	36	18	1,440
Manthai West	23,996	268	13,802	4,802	<b>5,075</b>	1	6	42
Musali	13,917	1,951	3,035	224	<b>8,703</b>	-	2	2
Nanaddan	19,916	730	13,525	3,930	<b>1,687</b>	3	1	40
<b>Total</b>	<b>106,943</b>	<b>8,710</b>	<b>54,106</b>	<b>14,072</b>	<b>28,464</b>	<b>40</b>	<b>27</b>	<b>1,524</b>

### Mullaitivu Muslims

The major Muslim concentrations in Mullaitivu district were Mullaitivu Town, Thanniyutu, Neeravipitti, Hijrapjuram, Muthayankaddu, Murippu and Thannimurippu. Muslims and Tamils lived side by side. The relationships between the communities were very warm and cordial. According to the Refugee Survey of 1991, about 90 percent of Mullaitivu Muslims were employed in agriculture, coastal and lagoon fishing, tailoring and trade and commerce. The rural Muslims were engaged in paddy, highland and coconut cultivation and coastal, lagoon and carp culture. It is very unfortunate that these people have been fully deprived of these rich economic resources that they possessed. Today they are forced to depend on others for their survival as refugees.



**Population - Ethnic Groups in MULLAITIVU DISTRICT - 1981**

A.G.A. Division	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Maritime Pattu	35,847	3,349	26,776	2,081	3,526	93	17	5
Puthukudiyiruppu	28,715	472	20,675	7,340	227	-	-	1
<b>Total</b>	<b>64,562</b>	<b>3,821</b>	<b>47,451</b>	<b>9,421</b>	<b>3,753</b>	<b>93</b>	<b>17</b>	<b>6</b>

## **5. THE GRIEVANCES OF EASTERN PROVINCE MUSLIMS**

### **Grievance No.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.

Tamil Speaking population in Ampara District is more than 63% and the population in the Trincomalee District 76% of the total population. But all public institutions in Ampara and Trincomalee Districts of the Eastern Province, still continue to administer and maintain public records in Sinhala and not in Tamil Language as provided in the Constitution.

### **Grievance No.2**

#### **Government Agent – District Secretaries in Muslim Majority Districts**

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

### **Grievance No.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.

### **Grievance No.4**

#### **Muslim Lands unlawfully occupied by Tamil Terrorists**

LTTE – Tamils are forcibly occupying 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 – 1560 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.

### **Grievance No.5**

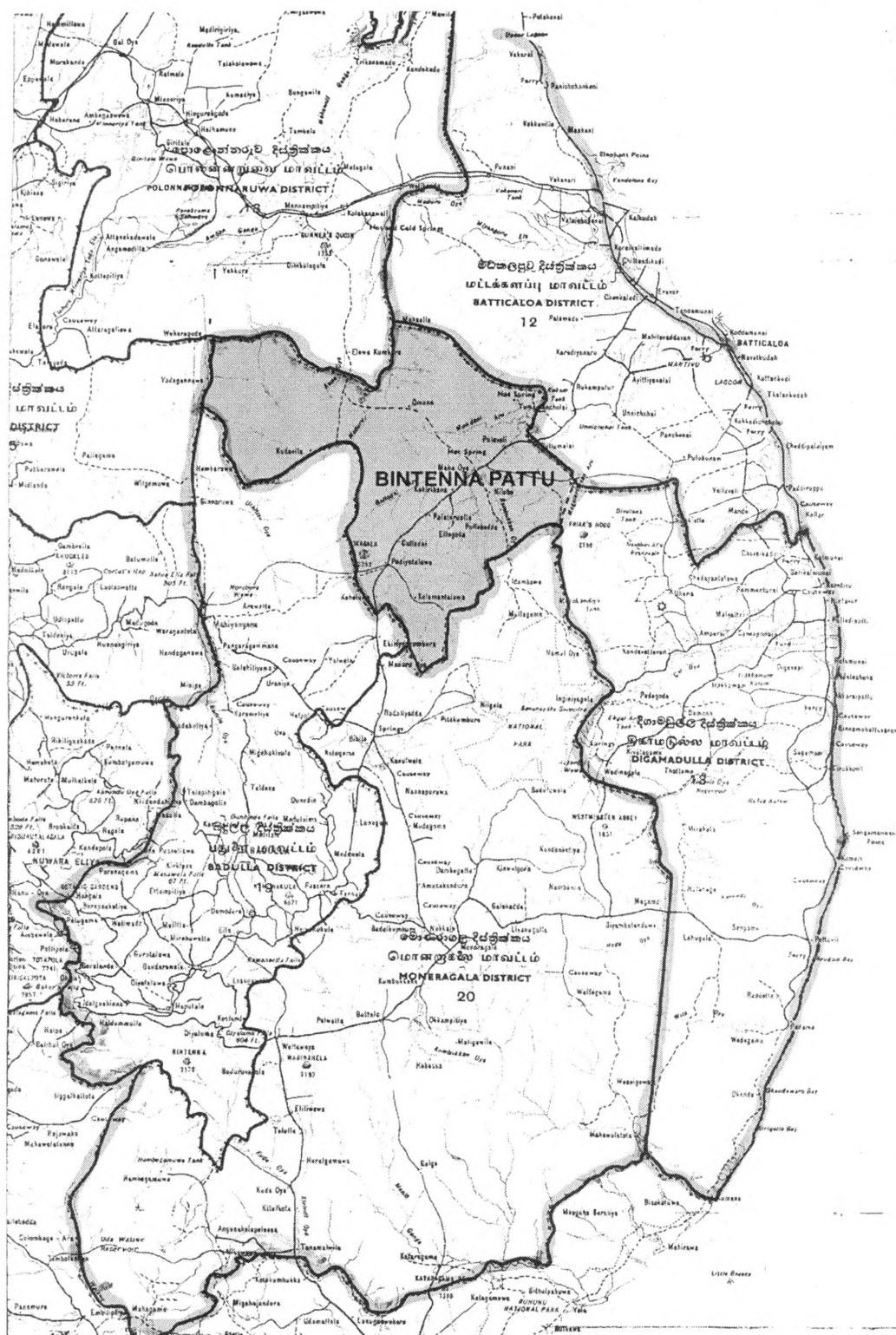
#### **Sinhalese Areas attached to Muslim Majority Districts**

Bintennapattu was originally a part of the Uva Province, and later it was in the Batticaloa Electorate but administered by the Uva Province. The Delimitation Commission of 1959, it was joined with Ampara Electorate but continued to be administered from the Uva Province - Moneragala. But 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”.

## Bintennapattu DRO Division attached to Ampara District



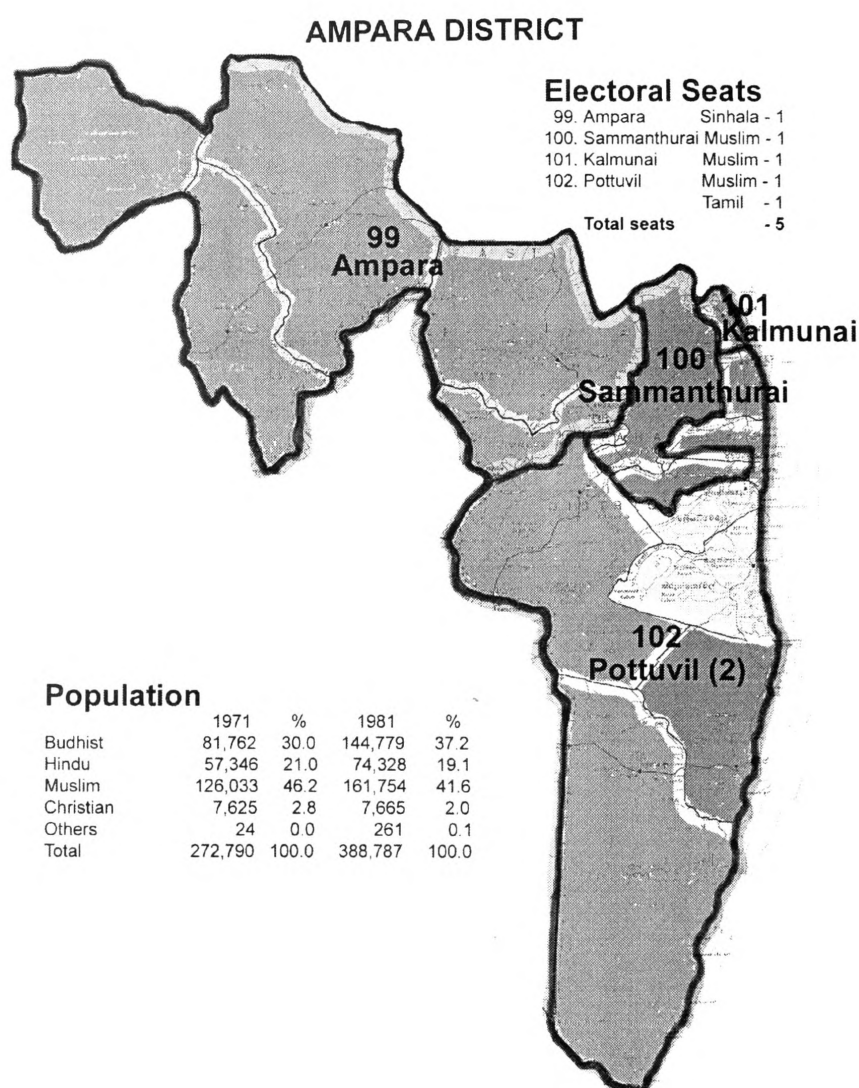
No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils	
						2007	%	2007	%	2007	%
	Binthanapattu										
18	Dehiyattakandya	55930	9.16	432.50	406.01	55716	99.6	116	0.2	87	0.2
19	Pathiyathalawa	16451	2.69	466.37	119.42	16365	99.5	50	0.3	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	99.6	202	0.2	127	0.1

## Grievance No.6

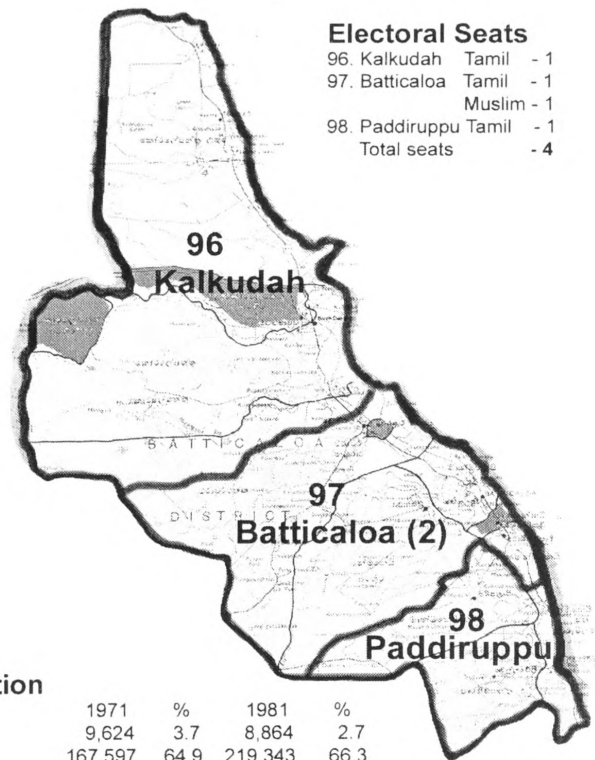
### Allocation of Land Areas in the Demarcation of Electoral and Administrative Units.

The 1976 Delimitation Commission demarcated Seruvila Electorate for the Sinhalese 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 censers, 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% Sinhalese 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.



## BATTICALOA DISTRICT



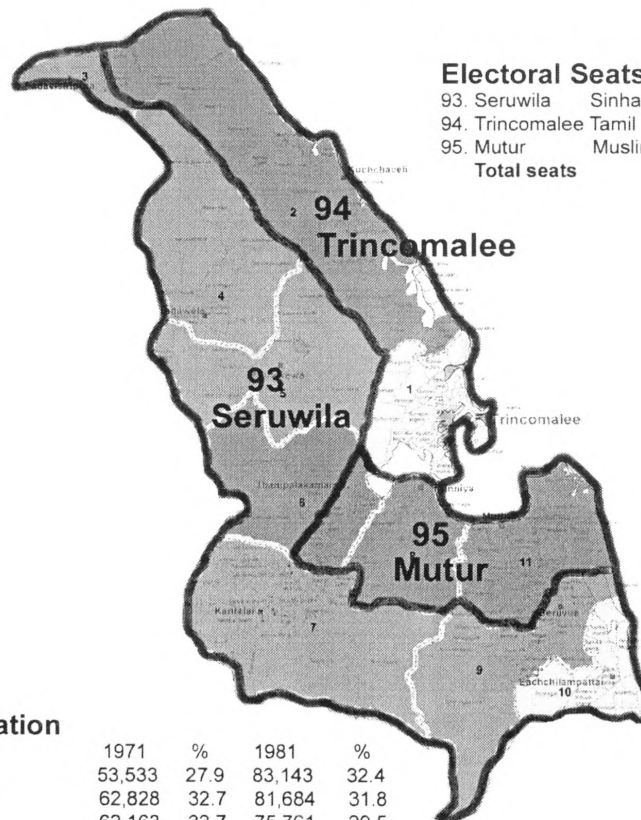
### Electoral Seats

96. Kalkudah	Tamil	- 1
97. Batticaloa	Tamil	- 1
	Muslim	- 1
98. Paddiruppu	Tamil	- 1
Total seats		- 4

### Population

	1971	%	1981	%
Budhist	9,624	3.7	8,864	2.7
Hindu	167,597	64.9	219,343	66.3
Muslim	62,519	24.2	79,662	24.1
Christian	18,316	7.1	22,725	6.8
Others	0	0.0	305	0.1
Total	258,056	100.0	330,899	100.0

## TRINCOMALEE DISTRICT



### Electoral Seats

93. Seruwila	Sinhala	- 1
94. Trincomalee	Tamil	- 1
95. Mutur	Muslim	- 1
Total seats		- 3

### Population

	1971	%	1981	%
Budhist	53,533	27.9	83,143	32.4
Hindu	62,828	32.7	81,684	31.8
Muslim	62,163	32.7	75,761	29.5
Christian	13,379	7.0	15,363	6.0
Others	86	0.0	839	0.3
Total	191,989	100.0	256,790	100.0

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## Grievance No.7

### Tsunami Destructions

It is widely criticized that the government has not treated the 'Tsunami' affected Muslim people equally.

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. Kattankudy boarder villages such as New Kattankudy and Palamunai 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.

#### DESTRUCTIONS TO MUSLIM COASTAL AREAS - (200 METERS FROM THE SEA) IN THE EASTERN PROVINCE

VILLAGES	Families	Businessmen	Casual Labors	Doctors	Drivers	Farmers	Fishermen	Government Employees	Skill Labors	Tailors	Teachers	Weavers	Others	Occupation Not Given	Land Acres	Destructions		
																Value of Land	Value of Houses	Total Value
AMPARA DISTRICT																		
Maruthamunai	483	43	112	1	16	2	68	8	18	8	7	38	9	153	120	361,675,000	496,725,000	858,400,000
Kalmunai	947	154	271	0	47	15	291	16	84	9	0	0	13	47	220	778,253,000	428,607,000	1,206,860,000
Sainthamaruthu	151	14	31	0	5	8	33	1	18	0	0	0	1	40	20	8,300,000	38,395,000	46,695,000
Ninthavur	1011	39	291	0	30	51	224	17	33	6	4	0	55	261	220	425,631,300	492,129,000	917,760,300
Oluvil	109	5	10	0	0	4	46	1	5	0	0	0	6	32	20	11,225,000	38,974,000	50,199,000
Addalachchenai	294	13	14	0	6	11	120	7	6	0	5	0	4	108	50	79,955,000	106,447,000	186,402,000
Akkaraipattu	287	24	128	0	15	17	35	3	4	3	0	0	1	57	70	60,433,000	54,566,000	114,999,000
Pottuvil	1200	9	200	0	2	547	255	1	2	0	2	0	2	180	280	200,000	416,201,150	416,401,150
Total	4482	301	1057	1	121	655	1072	54	170	26	18	38	91	878	1,000	1,725,672,300	2,072,044,150	3,797,716,450
BATTICALOA DISTRICT																		
Kattankudy	1044	304	248	4	31	7	64	35	67	29	26	10	33	186	240	432,604,600	203,870,000	636,474,600
Palamunai	166	18	39	0	10	0	40	7	3	2	2	1	5	39	40	50,251,500	45,547,000	95,798,500
Poonochchimunai	98	16	7	0	0	1	44	2	0	3	3	0	5	17	20	58,820,100	23,483,320	82,303,420
Total	1308	338	294	4	41	8	148	44	70	34	31	11	43	242	300	541,676,200	272,900,320	814,576,520
TRINCOMALEE DISTRICT																		
Mutur	741	79	49	0	3	6	506	12	24	2	4	0	7	49	140	97,414,800	128,126,500	225,541,300
Kinniya	2117	199	383	0	21	53	884	121	78	12	58	1	38	269	435	571,436,095	622,242,475	1,193,678,570
Kuchchaveli	457	48	32	0	5	58	258	0	3	5	2	0	0	46	90	75,657,400	85,882,650	161,540,050
Trincomalee Town	221	10	26	0	0	0	150	5	0	0	4	0	4	22	35	36,258,000	51,085,000	87,343,000
Total	3536	336	490	0	29	117	1798	138	105	19	68	1	49	386	700	780,766,295	887,336,625	1,668,102,920
GRAND TOTAL	9326	975	1841	5	191	780	3018	236	345	79	117	50	183	1506	2,000	3,048,114,795	3,232,281,095	6,280,395,890

### Buffer Zone

The government has relaxed the hotly-debated 200 metre buffer zone in the coastal areas due to the difficulties in finding alternate land to resettle the Tsunami affected people.

The buffer zone in Mutur, Kinniya, Kuchchaveli in the Trincomalee District has been relaxed to 60 metres, Kattankudy in Batticaloa District to 80 metres, Pottuvil and Arugambay to 50 metres, and Kalmunai to 65 metres in the Ampara District from the earlier 200 metres.

### Land available within 200 meters from the sea

#### 2,000 Acres owned by Muslim Tsunami Victims in the Eastern Province

##### Ampara District - 1,000 Acres

Maruthamunai 120 Acres, Kalmunai 220 Acres, Sainthamaruthu 20 Acres, Ninthavur 220 Acres, Oluvil 20 Acres, Addalachchenai 50 Acres, Akkaraipattu 70 Acres and Pottuvil 280 Acres

##### Batticaloa District - 300 Acres

Kattankudy 240 Acres, Palamunai 40 Acres and Poonochchimunai 20 Acres

### **Trincomalee District - 700 Acres**

Mutur 140 Acres, Kinniya 435 Acres, Kuchchaveli 90 Acres and Trincomalee Town 35 Acres

Urban Development Ministry Secretary confirming the relaxation of the buffer zone regulations said that the revisions came after representations from various quarters seeking permission for construction purposes.

The victims of Tsunami should be consulted and treated with dignity. This consultation should not only be with those in refugee camps, but also with those who have been displaced, made destitute and live with friends and relations.

### **Grievance No.8**

#### **Controversy over the New Flag**

Sri Lanka government has designed a new flag for the Eastern Province. This new flag has caused much misunderstanding and confusion as the flag has failed to represent all the communities living in the East in a just and faire manner.

Mr. T.D.S.A. Dissanayaka in his book – War or Peace in Sri Lanka, says that the Muslims are now the unquestioned first majority in the Eastern Province – 39.6%, Tamils – 33.2%, Sinhalese – 26.1% and Others – 1.1%.

The Muslim community which is the largest ethnic group in the East today has raised serious concern over the failure of the government to recognize this community by not printing any symbols in the flag to represent the Muslims.

### **Grievance No.9**

#### **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.

### **Grievance No.10**

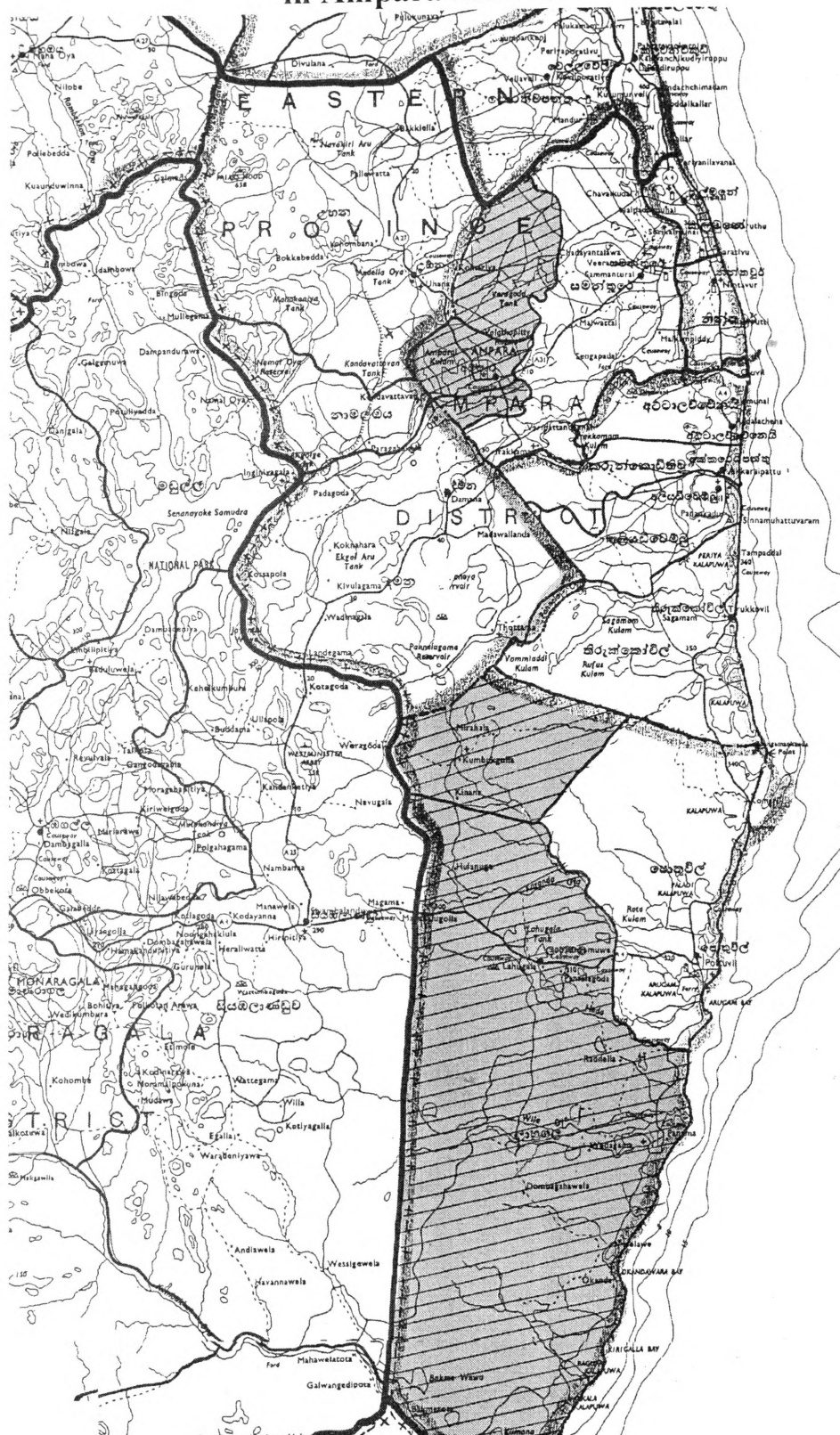
#### **Security**

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.

## Ampara District

### Sinhalese Encroachments in Predominants Muslim DRO Divisions in Ampara District



#### Grievance No.11

##### Pottuvil

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.

#### **Grievance No.12**

##### **Akkaraipattu Livestock and Dairy Farmers Agricultural Co-operative Society Limited**

The area of operation of the Society is the DRO's Division of Akkaraipattu – present Divisional Secretaries Division of Akkaraipattu, Alayadivembu, Addalaichenai and Thirukkivil.

According to the records in Akkaraipattu Police Station the total number of cattles lost during the insurgency in 1985 - 1997 is 12,945 and the estimated value of damages to the cattles and farm was Rs. 100 million.

Prior to the insurgency, the Society produced more than 1½ million liters of milk and 300 tons of beef annually and the members were able to get an average income of Rs. 5,000-00 per month. Presently the members of the Society have lost their cattle, farm and the income. The county had lost the much needed milk and meat.

#### **Grievance No.13**

##### **Akkaraipattu**

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

A circuit AGA's Office was temporarily created in 1985 for the Tamils in Akkaraipattu which was later upgraded to a full fledged AGA's Office called Alayadivembu by political vested interests.

Grievances of Akkaraipattu Muslim people were further aggravated when malicious efforts were made to include the legitimate land and natural resources belonging to the Muslim people with Tamil majority Alayadivembu AGA's Division.

The Divisional Secretariat Administration was introduced in 1992. But 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.

#### **Grievance No.14**

##### **Periyakalappu - Sambukalappu Drainage**

This is one of the most urgent needs of the people of Akkaraipattu area, who have voted the UPFA Government to victory on the promise that the above drainage project would be commenced immediately. The job is to reduce the water level of Periyakalappu and Sambukalappu by one foot below Mean Sea Level in order to reclaim more than 2,500 acres of fertile paddy fields laying inundated for the last 45 years.

The drainage area is 7 sq. miles of Periyakalappu and 3 sq. miles of Sambukalappu total 10 sq. miles or 6,400 acres.

#### **Grievance No.15**

##### **Sammanthurai**

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

#### **Grievance No.16**

##### **Irakkamam**

When the original DRO's Division was divided into Addalaichenai, Thirukkivil and Alayadivembu AGA Divisions, the boundaries between Sammanthurai and Akkaraipattu AGA Divisions were not changed and continue to remain same with Irakkamam as a part of Sammanthurai AGA Division in the South.

Irakkamam was given a sub AGA's Office and now it has been upgraded as DS Office without proper demarcation of boundaries or any Gazette notification.

#### **Batticaloa District**

##### **Grievance No.17**

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 Muslim 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.

#### **Grievance No.18**

##### **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.



## **Grievance No.19**

### **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.

## **Grievance No.20**

### **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.

## Trincomalee District

### Sinhalese Encroachment in Predominants Muslim and Tamil DRO Divisions in Trincomalee District



#### Grievance No.21

##### 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.

Iqbal Nagar is a Muslim area. Due to ethnic conflict the Muslims were displaced during 1984, 1990 and 1994 and settled in a place called Love Lane in Trincomalee. In 2002, the Muslim refugees came back to Iqbal Nagar and living under abject poverty.

In the 265 Muslim families identified as refugees only 45 families selected for the NERHP projects. But all the Tamil refugees were settled in the new housing projects in Konespuri, Kopalapuram, Kumpirupity, Iranaikerni and Thriyai.

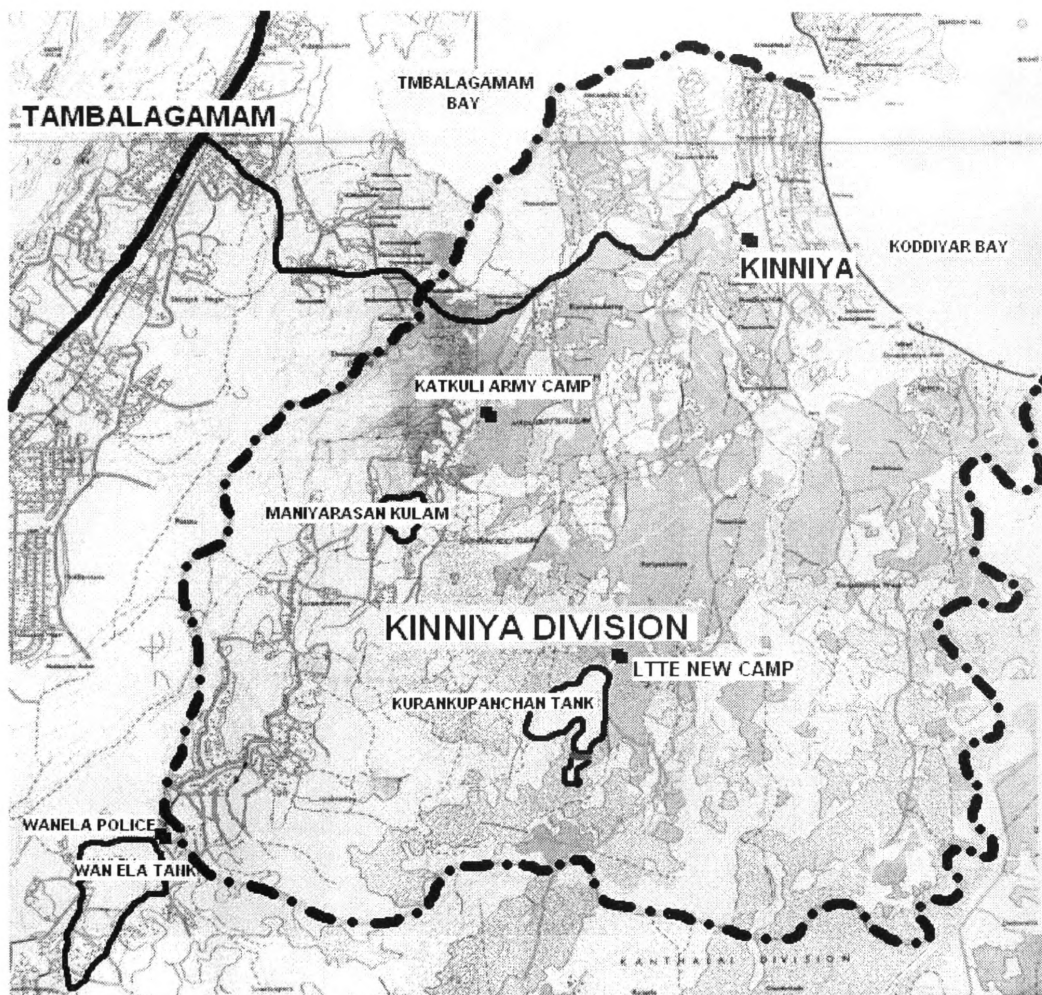
## **Grievance No.22**

### **Kinniya - Military Camp in Kurangupanchan Mosque**

The Kurangupanchan GS Division is about 20 sq. km in extent and 15 km East 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.



## 6. THE GRIEVANCES OF NORTHERN PROVINCE MUSLIMS

The forcible eviction of more than one hundred thousand Muslims, destruction of 150 places of worship - mosques and murdering hundreds of Muslims while in prayers in the Mosques, the confiscation of lands, houses, business and cultural premises, have resulted in serious human rights violation against Northern 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**

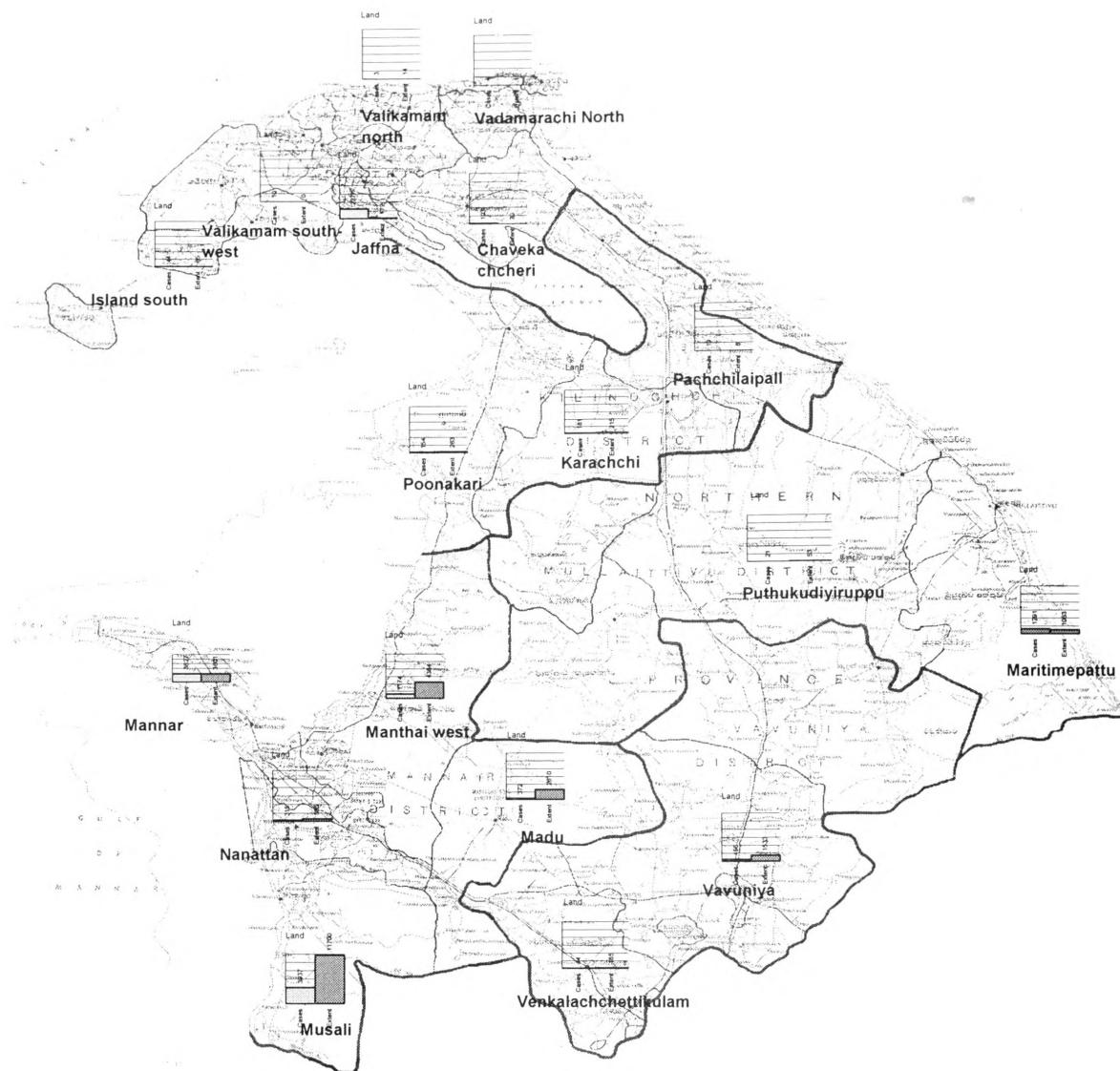
<b><u>Districts</u></b>	<b><u>Families</u></b>	<b><u>Peoples</u></b>
Puttalam	15,500	74,140
Anuradhapura	865	4,070
Kurunagala	487	2,311
Gampaha	1,050	4,725
Colombo	425	1,912
Kalutara	395	1,856
Matale	85	517
Kandy	110	517
Galle	5	23
Kegalle	32	150
<b>Total:</b>	<b>18,954</b>	<b>90,221</b>

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

<b><u>Description</u></b>	<b><u>Quantity</u></b>
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.

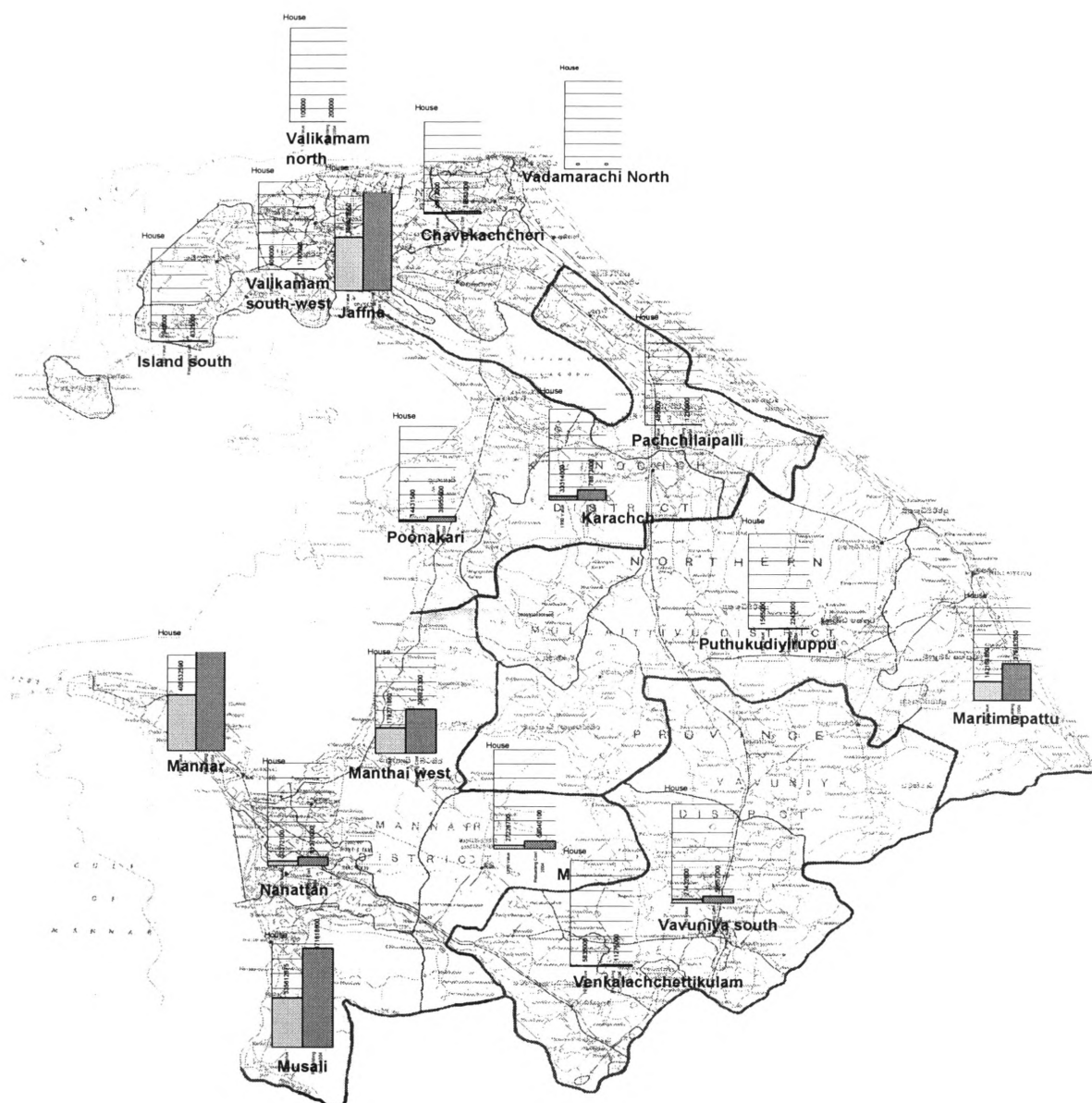
# LANDS OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE



District	DS Division	Cases	Extent		P
			A	R	
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
	<b>Total</b>	<b>6,600</b>	<b>23,233</b>	<b>2</b>	<b>20</b>
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
	<b>Total</b>	<b>1,256</b>	<b>348</b>	<b>1</b>	<b>8</b>
Kilinochchi	1 Poonakari	114	283	3	25
	2 Karachchi	151	233	1	29
	3 Pachchilaipalli	7	8	-	10
	<b>Total</b>	<b>272</b>	<b>525</b>	<b>1</b>	<b>24</b>
Mullaitheevu	1 Maritimepattu	978	1,095	-	22
	2 Puthukudiyiruppu	16	53	1	12
	<b>Total</b>	<b>994</b>	<b>1,148</b>	<b>1</b>	<b>34</b>
Vavuniya	1 Vavuniya south	870	3,795	1	2
	2 Venkalachchettikulam	1,066	1,327	1	20
	<b>Total</b>	<b>1,936</b>	<b>5,122</b>	<b>2</b>	<b>22</b>
<b>NORTHERN PROVINCE</b>		<b>11,058</b>	<b>30,378</b>	<b>1</b>	<b>28</b>

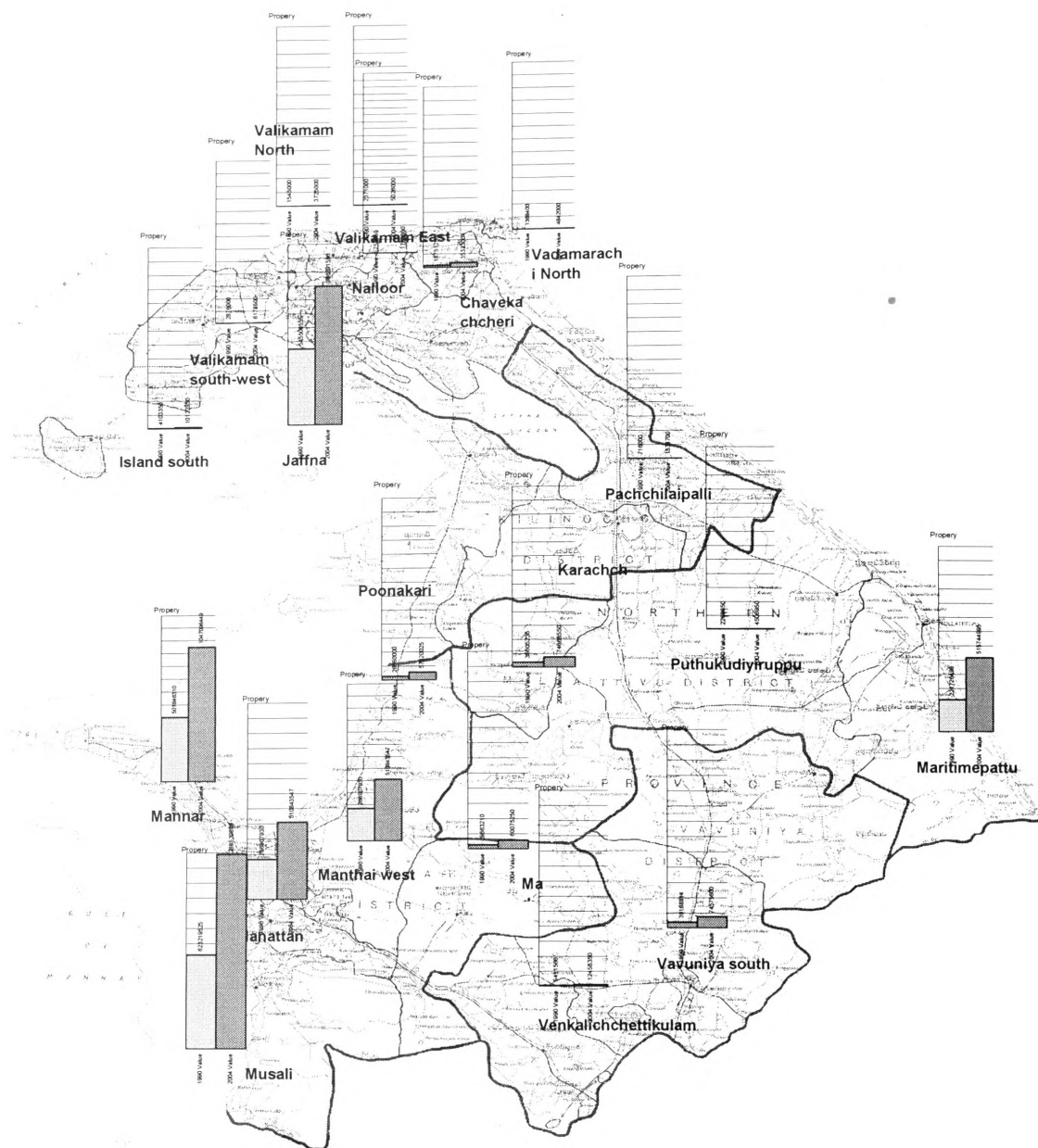


# RESIDENTIAL HOUSES OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE



District	DS Division	Cases	1990 Value
Mannar	1 Mannar	2,328	415,530,090.00
	2 Musali	2,725	335,612,675.00
	3 Manthai west	863	179,271,860.00
	4 Madu	257	30,291,700.00
	5 Nanattan	252	34,637,100.00
	<b>Total</b>	<b>6,425</b>	<b>995,343,425.00</b>
Jaffna	1 Jaffna	1,313	483,374,750.00
	2 Chavekachcheri	44	10,677,000.00
	3 Island south	29	2,948,000.00
	4 Vadamarachi north	1	160,000.00
	5 Valikamam north	1	100,000.00
	6 Valikamam south-west	3	600,000.00
	<b>Total</b>	<b>1,391</b>	<b>497,859,750.00</b>
Kilinochchi	1 Poonakari	97	15,331,500.00
	2 Karachchi	132	36,364,000.00
	3 Pachchilaipalli	7	485,000.00
	<b>Total</b>	<b>236</b>	<b>52,180,500.00</b>
Mullaitheevu	1 Maritimipattu	936	148,795,850.00
	2 Puthukudiyiruppu	16	1,565,000.00
	<b>Total</b>	<b>952</b>	<b>150,360,850.00</b>
Vavuniya	1 Vavuniya south	881	110,984,337.00
	2 Venkalachchettikulam	1,225	112,548,955.00
	<b>Total</b>	<b>2,106</b>	<b>223,533,292.00</b>
<b>NORTHERN PROVINCE</b>		<b>11,110</b>	<b>1,919,277,817.00</b>

# PROPERTIES OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE



District	DS Division	Cases	1990 Value
Mannar	1 Mannar	2,874	504,558,310.00
	2 Musali	3,022	623,219,525.00
	3 Manthai west	1,060	267,902,930.00
	4 Madu	263	33,633,210.00
	5 Nanattan	288	52,408,470.00
	<b>Total</b>	<b>7,507</b>	<b>1,481,722,445.00</b>
Jaffna	1 Jaffna	2,262	660,977,395.00
	2 Chavekachcheri	104	19,713,738.00
	3 Island south	41	4,103,350.00
	4 Valikamam north	3	1,545,000.00
	5 Valikamam south-west	10	2,876,000.00
	6 Valikamam east	2	2,371,000.00
	7 Vadamarachi north	5	2,268,400.00
	8 Nalloor	3	752,750.00
	<b>Total</b>	<b>2,430</b>	<b>694,607,633.00</b>
Kilinochchi	1 Poonakari	122	28,700,000.00
	2 Karachchi	184	38,755,335.00
	3 Pachchilaipalli	10	716,000.00
	<b>Total</b>	<b>316</b>	<b>68,171,335.00</b>
Mullaitheevu	1 Maritimepattu	1,040	231,619,498.00
	2 Puthukudiyiruppu	20	2,268,650.00
	<b>Total</b>	<b>1,060</b>	<b>233,888,148.00</b>
Vavuniya	1 Vavuniya south	954	153,434,559.00
	2 Venkalachchettikulam	1,415	206,853,541.00
	<b>Total</b>	<b>2,369</b>	<b>360,288,100.00</b>
<b>NORTHERN PROVINCE</b>		<b>13,682</b>	<b>2,838,677,661.00</b>



# **MOSQUES DESTROYED BY THE TAMILS** **AFTER THE FORCIBLE EXPULSION OF MUSLIMS** **FROM THE NORTH BY THE LTTE IN OCTOBER 1990**



**Jaffna District – 24, Mannar District – 56, Vanni District – 18, Mullaitivu District – 5, Kilinochchi District – 5. Total – 108**

## 7. RESETTLEMENT OF INTERNALLY DISPLACED JAFFNA DISTRICT MUSLIMS

1981 Population of Selected Areas in JAFFNA DISTRICT								
D.S Division / Local Bodies	Total No. of Persons	Ethnicity						
		Sinhalese	Sri Lanka Tamil	Indian Tamil	Sri Lanka Moor	Burgher	Malay	Other
Jaffna	118,215	1,446	103,642	1,986	<b>10,857</b>	242	17	25
Chavakachcheri	19,640	55	18,881	112	<b>589</b>	2	-	1
Point Pedro	15,087	25	14,657	224	<b>171</b>	-	1	9
Nelliady	13,941	32	13,795	64	<b>50</b>	-	-	-
Kankesanthurai	14,587	380	14,051	85	<b>46</b>	20	5	-
Chunnakam	17,164	1,224	15,732	117	<b>88</b>	-	1	2
Island South	38,475	37	38,106	173	<b>158</b>	-	-	1
Valikamam North	57,627	438	56,846	211	<b>127</b>	2	2	1
Valikamam East	59,366	169	58,736	390	<b>60</b>	6	1	4
Thenmarachchi	51,905	108	51,567	131	<b>93</b>	3	2	1
<b>Total</b>	<b>406,007</b>	<b>3,914</b>	<b>386,013</b>	<b>3,493</b>	<b>12,239</b>	<b>275</b>	<b>29</b>	<b>44</b>

Muslims were living in more than 153 locations in fairly large numbers when the forcible expulsion took place in Jaffna in October 1990. Of these, Jaffna town had the largest concentration of nearly 90 percent of the total Muslims in the peninsula. Within the Jaffna town, Moor Street had the biggest concentration of about 75 percent, and it is only from the Moor Street that the Muslims went to other locations in the district. Moor Street of Jaffna was an educational and cultural center of the Muslims.

The Jaffna Moor Street had 17 mosques, 6 government schools, 4 large Quran and Arabic Madrasas (Schools) and many other institutions fostering Muslim religion and culture. In fact, the economic activities of Muslims in Jaffna were influenced by the city. According to informations gathered in the Refugee Survey in 1991, about 45 percent of the reported heads of household were engaged in different types of trade and commercial activities in the city while another 35 percent were reported to be engaged in some form of service related occupations like tailoring, repairing and transport.

### **Ethnic cleansing of Jaffna District Muslims**

The Muslims of the Jaffna District were forced to leave their homes by the LTTE in the third week of October 1990. The LTTE announced over the loudspeakers through the streets that the Muslims must leave their homes, leaving all their valuables or face death at the hands of the LTTE. The Muslims of Jaffna were given only two hours. This unexpected order from the LTTE was a shock to the Muslims.

The Muslims pleaded with the LTTE to re-consider their decision to evict them from their traditional homes but it was flatly refused. Even though the local Tamil population sincerely opposed to LTTE's decision, they could not change the mind of the LTTE. The government security forces stationed in Jaffna were helpless and made no attempt to prevent the forcible expulsion. International humanitarian agencies, some of which were working in the Jaffna District made very little effort to prevent the forcible expulsion of Muslims.

**MUSLIM FAMILIES FORCIBLY DISPLACED DURING OCTOBER 1990  
FROM JAFFNA DISTRICT**

	DS Division		Displaced Families	1990 Value		
Muslim Residential Houses Unlawfully Occupied by the LTTE after ethnic cleansing of Muslims	1	Jaffna	1,313	483,374,750.00		
	2	Chavekachcheri	44	10,677,000.00		
	3	Island south	29	2,948,000.00		
	4	Vadamarachi north	1	160,000.00		
	5	Valikamam north	1	100,000.00		
	6	Valikamam south-west	3	600,000.00		
	Total		1,391	497,859,750.00		
Muslim Properties Robbed by the LTTE during the ethnic cleansing	1	Jaffna	2,262	660,977,395.00		
	2	Chavekachcheri	104	19,713,738.00		
	3	Island south	41	4,103,350.00		
	4	Valikamam north	3	1,545,000.00		
	5	Valikamam south-west	10	2,876,000.00		
	6	Valikamam east	2	2,371,000.00		
	7	Vadamarachi north	5	2,268,400.00		
	8	Nalloor	3	752,750.00		
	Total		2,430	694,607,633.00		
				Extent		
				A	R	P
Muslim Lands Unlawfully Occupied by the LTTE after ethnic cleansing	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

**LOCATIONS OF CAMPS OF DISPLACED MUSLIMS FROM JAFFNA DISTRICT**

No.	Locations	Families	No.	Locations	Families
1	Puttalam	1277	10	Thillayadi	24
2	Palavi	349	11	Minuwangoda	23
3	Negombo	228	12	Madawachchi	18
4	Madurankuly	100	13	Katpitti	15
5	Jaffna	95	14	Paththuluoya	12
6	Kochchikade	66	15	Mattakuli	11
7	Wahamalkolla	57	16	Anuradapuram	10
8	Panadura	45	17	Kurunegala	10
9	Ratmalyaya	45	18	Miscellaneous	141
				<b>Total Families</b>	<b>2,526</b>

## **Resettlement of Muslim IDPs**

The people affected expect individual attention and specific solutions to suit different families. The agencies that deal with issues of livelihood restoration will be required to visit each family and or household to find out how best they can be assisted. This is a painstaking exercise but we have no choice in the matter if the objective is to ensure that people who lost their livelihoods regain their economic strength within a reasonable period of time.

For planning the resettlement programme, it is essential to have reliable and accurate informations about the impact on the lives and properties destroyed by the forcible displacement. It is a complex process that should be handled with care with the full participation of all stakeholders at the grass roots level. If this is not done properly, it can have adverse effects on the quality of life of the victims.

The extent and the value of land and other assets owned by the affected Muslim families at the time of ethnic cleansing cannot be ignored in finding solutions to their resettlement problems. No arbitrarily designed resettlement should be imposed on helpless victims as such solutions are likely to aggravate the problems of the people who are already traumatized. Makeshift housing should be replaced by solidly built permanent structures.

The Muslim Rights Organisation - MRO conducted an assessment survey of the displaced Muslim families, properties robbed, residences and the lands of Muslims unlawfully occupied by the LTTE in the Jaffna District with the following objectives:

- Systematically assess the damages caused to the Muslim IDPs by visiting each and every family in the Refugee Camps.
- Prepare a comprehensive report based on the field investigations on a professional basis.
- The final Survey Report submitted to the Government of Sri Lanka and the International Community for assistance to rebuild the affected areas and resettle the displaced Muslim victims.

During the time of registration, some displaced Muslim families were not available at the refugee Camps due to LTTE security threats, dissolution of Parliament and the General Election in April 2004. Therefore it was possible to record the informations from approximately 90% of the displaced people – 2,526 Muslim Families.

## **UN Guiding Principles on Internally Displaced Persons (IDPs)**

The Guiding Principles on Internal Displacement were adopted by the UN Commission on Human Rights and Economic and Social Council in 1998.

### **Choice of Residence**

Principle 15: The IDPs have the right to remain in the area they used to reside before the displacement or have the right to move to any other part of the country or another country on their will. This right is crucial for those who have lost their families, homes and belonging and have completely been uprooted.

### **Family Unit**

Principle 16 and 17 highlight the importance of preserving the family unit. The responsible state authorities should help the IDPs in protecting the family unit by assisting in seeking family members who have been separated. A family unit provides security to a person. Separation from one's family also leads to violation of other human rights. Where the families insist on remaining in the same location during the period of displacement the authorities should facilitate it.

### **Adequate Standard of Living**

According to Principle 18, the state is responsible to provide the IDPs with an adequate standard of living including essential food, potable water, shelter, appropriate clothing, essential medical

services and sanitation. The highest number of deaths among IDPs is caused by malnutrition. Vulnerable groups such as children, elderly and single heads of households should be given special attention in providing an adequate standard of living.

### **Property Rights**

The IDPs have abandoned their property in haste and are not able to secure them. Especially, the boundaries of the lands may not be visible at the site. The properties of the IDPs are also prone to theft and unlawful occupation. The responsible authorities have to take steps to protect the properties of the IDPs against such occurrences.

### **Right to Return or Resettle**

IDPs have the right to return in safety and with dignity, to their previous homes. Right to Return or resettle is vital especially when the cause of the displacement is ceased.

After resettlement, the IDPs should not face discrimination as a result of having been displaced. They, like all other citizens, have equal rights to participate in public affairs and to have access to public services.



**Mr. M.I.M. Mohideen**

Chairman, Muslim Rights Organisation (MRO), Managing Director, Muslim Reconstruction and Resettlement Organisation (MRRO), Coordinator for the Eastern Province Tamil Muslim Peace Committee for the resolution of ethnic conflict. Former Joint Secretary of All Ceylon Muslim League, Founder Secretary General of Muslim United Liberation Front, National Coordinating Secretary of Sri Lanka Muslim Congress (SLMC) and Member of the Muslim team participated in the Peace Talks with the Government of Sri Lanka (GOSL), Liberation Tigers of Tamil Elam (LTTE), and Executive Director, Al-Ceylan Muslim Documentation Centre (ACMDC).

**Muslims have realized that Peace and reconciliation are the only answer to the problems that have plagued our county over two decades. Most have lost everything in the war torn North and East. The urgent needs are human security, regaining of lost lands and properties, resettlement of internally displaced people, compensation and power sharing arrangements on the basis of internal self determination within a united Sri Lanka.**

**M.I.M. Mohideen**



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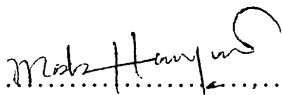
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