

1. INTRODUCTION

MUSLIM PARTICIPATION IN NEGOTIATIONS TO RESOLVE ETHNIC GRIEVANCES IN SRI LANKA

The ethnic conflict in Sri Lanka has had a terrible effect on the Muslims in the North-East. The forcible eviction of more than one hundred thousand Muslims, the attacks on the mosques and other places of worship, the confiscation of land and attacks on innocent civilians have caused fear and insecurity in the hearts of the Muslims. Our primary concern is the safety and security of our people, rights for our areas of historical habitation, resettlement of the displaced Muslims and power sharing on the basis of our right to self-determination.

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 aspiration of the Sinhala people. Muslim representatives did not go before Royal Commission, nor have they gone before the International Community with accusation and sought to blacken the image of Sri Lanka government. In fact, if there is one community that could legitimately complain of being discriminated in the field of Education, Land Alienation, Colonisation Safety and Security which come under the purview of the state, it could be the Muslims.

Although the North East Muslims have not staged a war against the government of Sri Lanka for the settlement of our grievances, we are the worst affected lot in the ethnic conflict. The Indo-Sri Lanka Accord, the 13th Amendment to the constitution and the provision 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 promote socio-economic interest of our people. They have failed to recognise the different ethnic and political aspiration of the Muslims. This total disregard shown to Muslim sentiments bring to surface one truth - the government has little or no concern about the safety and security of the Muslim people.

51 States and 22 international organisations represented at Tokyo conference held on June 9 and 10, 2003 firmly endorsed the participation of an independent Muslim delegation at the talks in the context of protecting human rights for all the people affected by the armed conflict. The Government must now clearly indicate without any hesitation that it is prepared to stand by the Tokyo Declaration, and has the political will to support that declaration.

With the lessons learnt in the past, the Muslim community will not accept the Muslim Ministers in the Government with collective cabinet responsibilities to represent Muslim interests in the negotiations to resolve ethnic conflict in Sri Lanka. We wish to participate in the negotiations clearly and solely as an independent group on the basis of our own interests whether or not these interests converge with the interests of the Government, Sinhalese or the Tamils. We wish to have our own independent representation at all negotiations whether it is devolution of power - the 13th Amendment to the Constitution and Police and land powers to the provincial councils. The North-East Muslims who were directly affected by the ethnic conflict should be able to choose the composition of Muslim representations to advance our interest at the negotiations. It is a matter for the affected Muslims of the North-East to decide among ourselves. There should not be dictation or manipulation by other interested parties with regard to the composition of the representation and the position that the North-East Muslims wish to take.

2. PARLIAMENT DEBATE

Speaker Joseph Michael Perera presided when Parliament met at 10 a.m. Tuesday the 21st October, 2003.

The House took up the adjournment motion on Muslim representation at future negotiations for peace by a separate delegation.



Minister of Port Development and Shipping and Minister of Eastern Development and Muslim Religious Affairs, Rauff Hakeem presenting the motion said:

Whereas the leaders of the Sri Lanka Muslim Congress and the Liberation Tigers of Tamil Eelam in a joint statement dated 13th April 2001 agreed that Muslims should be represented at future negotiations for peace by a separate delegation;

And whereas on 3rd September 2002 a press release issued by the Royal Norwegian Embassy in London following a meeting between Hon. Rauff Hakeem and Dr. Anton Balasingham, Chief Negotiator of the Liberation Tigers of Tamil Eelam announced that it was agreed between them that Hon. Rauff Hakeem would participate at the first round of peace talks as the head of a Muslim delegation representing the community;

And whereas in the opening statement of Hon. G. L. Peiris, Head of Government delegation at the inaugural session of the peace talks at Sattahip in Thailand it was emphasised that, "we note that it is envisaged that Hon. Rauff Hakeem, who is present as a member of the Government delegation, will in due course participate in the talks in his capacity as the Leader of the Sri Lanka Muslim Congress and as the Head of a Muslim delegation. The arrangement would, no doubt ensure the continuance of a constructive and meaningful dialogue";

And whereas it was agreed at the plenary session of the peace talks held in Oslo in December 2002 that "the parties agreed to explore a solution founded on the principles of internal self-determination in areas of historical habitation of Tamil speaking peoples, based on a federal structure within a united Sri Lanka. The parties acknowledged that the solution has to be acceptable to all communities";

And whereas the Hon. Prime Minister in his opening remarks at the Conference on Reconstruction and Development of Sri Lanka held in Tokyo stated that participation of a Muslim delegation at future peace talks is necessary to take the peace process forward;

And whereas the Tokyo Declaration issued after the conclusion of the Conference on Reconstruction and Development of Sri Lanka and signed by 51 countries and 22 international organisations expressly states that the donor community intends to review and monitor the peace process closely with particular reference to objectives and milestones including the participation of a Muslim delegation as agreed in the declaration at the 4th session of peace talks held in Thailand;

And whereas the Hon. Prime Minister agreed with the Leader of the Sri Lanka Muslim Congress and included in the discussion paper sent to the Liberation Tigers of Tamil Eelam that a separate Muslim delegation should participate at the future rounds of peace talks;

And whereas the statements and decisions enumerated in the foregoing paragraphs unequivocally establishes that the Government of Sri Lanka, Liberation Tigers of Tamil Eelam and the international community agree that a separate Muslim delegation be accommodated at all future peace negotiations in order to represent and articulate the interests of the Muslim of Sri Lanka and particularly Muslims living in the Northern and Eastern Provinces.

I am trying to stress that Muslims should participate as a separate delegation at future negotiations. I think no member from both sides is against the proposal. It is the duty of the Government, LTTE and the international community to recognise this fact and act accordingly.

This very demand for a separate Muslim delegation was placed before the Government and LTTE much before the talks began. Both sides had accepted and endorsed it. The negotiations should continue to achieve a lasting peace. To see an end to the conflict, you must include all the stake holders in this. Therefore, there is much necessity to include a Muslim delegation, when the talks resume. Muslims never like war, We hated the war and in the future too, we will hate war. Separate identity of Muslims in North-East has been identified by the LITE way back in 1988. Muslims must be able to participate as a separate group to find a lasting solution to the problem. Let's build a peaceful country for our future generations.

Minister of Parliamentary Affairs, A.H.M. Azwer: I wish to second the motion proposed by Minister Rauff Hakeem. Every Muslim has to identify himself as a Muslim first. Rights of the Muslims should be safeguarded. Also, their properties should be protected. Muslims are living in every part of the country in the North as well as the South. They are living in the South with Sinhalese" in, harmony. A peaceful atmosphere should be further strengthened to enable all the communities to live in harmony. When we look back at history I must say that aspirations and rights of the Muslim were accepted by the Federal Party and Tamil leaders such as Chelvanayakam.

You must support and provide protection to Muslims. Muslims will not ask for a separate army. Our mother tongue is also Tamil. Even in the South, it is the same. Tamil languages nourished by Muslims Minister Hakeem made a very reasonable demand. You must endorse it. Tamil members should accept it to create harmony. This separate delegation should be comprised of members from all parties.

M. L. M. Hizbullah (PA): The country's prolonged war should be brought to a permanent end and peace should be established

Several rounds of peace talks have already been held between the Government and the LTTE. Muslims of the country never fought for a separate state or took to arms. Muslim people have suffered sever difficulties and hardships over the years due to the prolonged conflict.

The problems of Muslim community should be brought forward if they are to be given proper solutions. It is an unfortunate situation that Muslims are deprived of the chance of putting forward their problems at the peace talks. The other unfortunate situation I have to highlight is that not a single effort has been taken to resettle the Muslims who had been chased away from the North. Muslims have also been ignored when demining the areas in the North and East to facilitate resettlement of people. LTTE theoretician Anton Balasingham gave a pledge that a separate Muslim delegation will be allowed at the peace talks. Today, I have to ask Minister Hakeem what is the present situation of that pledge.

Although we have political differences I should emphasize the fact that we should shed those differences when we discuss the problems of Muslims as a whole. As Muslim, our stand is that we should demand for a separate Muslim delegation or we should walk out from peace talks in protest.

Noordeen Masoor Minister Assisting Wanni Rehabilitation: Today all the Muslim MPs unite to raise their voice to demand a separate Muslim delegation at the peace talks. There had been a large number of discriminations against minority Tamils and Muslims in the country. The Sinhalese government took steps to take over the lands of

Muslim inhabitants in the East. Muslims turned into a minority population in those areas due to their new settlements. So Muslims have to seek solutions to the injustices that happened to them. by asking for a separate Muslims delegation of peace talks.

LakshmanKadirgamar (PA): This is an important debate I am speaking today on behalf of the Sri Lanka Freedom Party. We wish to place before the House eleven considerations which we believe are relevant to the issue before us. The first consideration is that a durable peace can come only if the just aspirations of all communities in the country are met. Unless the Muslim interests are taken into account and accommodated there is no prospect whatsoever of a durable peace. We agree fully with the observation recently made in Colombo by the Indian Minister of External Affairs that the final solution to the ethnic problem must be "home-grown". Indeed it cannot truly be "home-grown" unless all the communities are involved in promoting the solution - and the Muslim community is most certainly one of them.

The second consideration is that at the signing of the MOU Muslim concerns were not looked into. The Muslim community in the East is very seriously affected by the consequences of the CFA particularly by the lawless behaviour that is going on, much of it directed against the Muslim community under cover of the ceasefire.

Thirdly, one of the many fundamental flaws in the CFA, and there are many, was that at the outset the Government of the day either did not consult the SLMC which is a part of the Government or the SLMC did not press their case for consultation at that time. In fact it was stated by an SLMC leader that the best thing that happened to the Muslim community was the CFA. Now it is clear that the picture is very different because events are showing that the CFA is not providing any kind of protective shield for the Muslim community in the Eastern Province. In fact the CFA has placed the Muslim community at a disadvantage - a position which they did not suffer before the CFA. In other words the CFA has been used not to protect the Muslim community but in fact to expose them further to the marauding ambitions of the LTTE.

The fourth consideration is that it is inadequate to approach this matter from the point of view of the so-called rights of the ethnic Tamil community alone. The Muslim dimension is something else, it is different, because there is a religious bond that holds the Muslim

community cohesively together. The Muslims are not a linguistic community. Their aspirations are different from those of the ethnic Tamil community. By catering to the linguistic aspirations of the ethnic Tamil community, we are not dealing with the concerns of the Muslim community. There is a misperception that this conflict merely involves two ethnic communities - the Tamil people and the Sinhala people. While it may be possible to look at the CFA in that light because the CFA involves a cessation of hostilities between an armed Tamil group and the Government of Sri Lanka, the CFA does nothing to solve the problem of the Muslim people. These problems can only be resolved by adopting a political approach that goes beyond the CFA and in that process it is very necessary indeed indispensable, that the voice of the Muslim people be heard.

The fifth consideration is that there are a number of events which are occurring in the East which directly affect the Muslim people. Muslim Villages are being threatened, the Muslims have a very clear sense of insecurity and this is leading to unrest among the Muslim youth in those areas who simply cannot understand and rightly cannot understand, why the Government is not taking their concerns seriously. They have the feeling that they are being left to the grace and favour of the mercy of the LTTE which as we all know is a heavily armed organisation with a record of atrocities against the Muslim community.

The sixth consideration is that 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 youth taking to arms. I ask everybody to reflect for a moment seriously about the enormous and far-reaching ramifications of such a situation, both domestically and internationally. On the domestic side to have one community in a permanent state of insecurity is highly dangerous for the maintenance of law and order at the national level. It destabilizes the entire Sri Lankan community. The possibility of disaffection here attracting the attention, as it undoubtedly will some day, if this state of affairs is allowed to continue of predominantly Muslim countries elsewhere who will surely not allow their brothers and sisters here to be left disregarded and even undefended, is extremely alarming. We will then have to face a situation where another dimension of our political problem will become internationalized. There is presently serious doubt as to the wisdom of the degree of internationalization that we are already seeing in the negotiations themselves. But the emergence of this new dimension would create a series of consequences that could make the Eastern province a powder keg.

The seventh consideration is that it is common knowledge that when the Muslims who lived in the Northern Province or more than a century were summarily evicted from their traditional habitation by the LTIE, and were rendered displaced overnight, they lost their homes and their livelihoods. Up to date, 13 years later, those unfortunate people remain displaced with a very grim future ahead of them. This is another reason why it is imperative that the voice of the Muslim community should be heard on behalf of their displaced people at the negotiating table itself, so that a meaningful arrangements could be made, backed by political will on the part of the Government and the LTTE, to redress their grievances without delay. The emphasis that is being placed on the plight of the Tamil displaced persons, serious as their plight is, unfairly places the problems of the displaced Muslims in an inferior position. This kind of discrimination is grossly unfair. It should not be tolerated either at home or by the international community.

The eight consideration is that on the 13th April 2002 after a meeting between the SLMC leader and the LTIE leader there appears to have been an understanding that the SLMC would lead a Muslim delegation to the talks. As of today nothing has come of that understanding and this is perhaps due to the ambivalence of the situation of the SLMC as to whether it can viably be a part of the Government delegation and at the same time represent Muslim interests. As far as the Muslim community is concerned it appears that the community is not satisfied with the SLMC leader seeking to represent Muslim interests in any other capacity. They wish to be represented clearly and solely on the basis of their own interests whether or not those interests converge with the interests of the Government and the LTTE, and that is what they are asking for. They are asking for an independent place at the negotiations. That request is eminently reasonable and justified. At the moment the negotiations are scheduled: between the Government and the LTTE. This itself is a flawed situation because the process is exclusive; it is not an expansive process that takes into account the aspirations of all the communities of the country. It is a highly restricted process. Therefore, the Muslim, community as one of the communities directly affected in the North and East by a final political outcome seeks to be represented independently as a third party to the negotiations which are supposed to lead to an overall political solution. There cannot be a viable final and durable political solution to the problem unless the Muslim community is heard and accommodated in its own right and not by proxy.

The ninth consideration is that the Muslim community who are most directly affected by the ongoing situation must be able to choose the composition of their delegation and the line of representations that they wish to advance. That is a matter for the Muslim community to decide among themselves. There should not be dictation or manipulation by other parties with regard to the composition of the delegation and the position that they might wish to take.

The tenth consideration is this. It seems that the leader of the SLMC has found that it has not been possible for him to make his case within the Government delegation. He has not been able to carry the Government with him in presenting the case of the Muslim community and therefore it appears that he now seeks a wider mandate from the most appropriate forum of all - that is Parliament. The North East Muslim Parliamentarian Forum has discussed this matter and this motion has been motivated by them and they stand united on this question. Therefore, this debate is to be welcomed because that is the way national issues of this kind should be dealt with, not secretly as a result of an arrangement between two parties. This is the way major national issues should be taken up in the highest public forum of the land where the representatives of the people could speak freely and openly.

Therefore this debate is to be welcomed and it was wise of the North East Muslim Parliamentarians to ask for this debate.

Finally, I wish to refer to the position taken by the international community on the question of Muslim representation at the talks. In the Tokyo Declaration of 10th June, 2003 it was stated that "the conference emphasizes the importance of taking full account of the delicate ethnic and geographical balance in the North and East". It was further stated that the international community remains committed to human rights protection. The conference also urged the parties to move "expeditiously to a lasting and equitable political settlement based upon respect for human rights, democracy and the rule of law". It also looked forward to an early agreement being reached on the human rights declaration. In paragraph 18 it was emphasized that assistance by the donor community must be closely linked to substantial and parallel progress in the peace process subject to compliance with certain clearly stated guidelines. Those included full compliance with

the ceasefire agreement by both parties, participation of a Muslim delegation as agreed in the declaration of the fourth session of peace talks in Thailand, parallel progress towards a final political settlement solutions for those displaced due to the armed conflict, effective promotion and protection of the human rights of all people, the cessation of underage recruitment and agreement by the parties on a phased, balanced and verifiable de-escalation, demilitarization and normalization process at an appropriate time in the context of arriving at a political settlement. Thus it is very clear that the 51 States and 22 international organisations represented at Tokyo firmly endorsed the participation of a Muslim delegation at the talks in the context of preserving the delicate and ethnic geographical balance, in the name of promoting and protecting human rights for all the people and the concerns of all persons displaced due to the armed conflict. Thus, the intrinsic merits, at a political level, of the Muslim case for participation in the talks have been considerably reinforced by a large segment of global opinion. The Government must now clearly indicate without any hesitation whatsoever that it is prepared to stand by the Tokyo Declaration, and it must indicate without any ambivalence that it has the political will to support that Declaration. The Sri Lanka Freedom Party has no hesitation whatsoever in endorsing what we consider to be the just claim of the Muslims to be separately represented at the ongoing talks in order to place their case fully with a view to achieving a final political solution which is to their satisfaction. This is their right. They cannot be denied that right.

N. Mathanaraja (EPDP): Today I am happy to contribute to this debate, when all Muslim MPs united to ask for a separate Muslim delegation at the peace talks. In 1990 Muslims were chased away from Jaffna by the LTTE. At that time Tamils in Jaffna protected the Muslims. That was a sign that they like to live together. But with the atrocities continued in Kattankudi and other areas a mistrust grew between the two communities. The LTTE should take the responsibility for this situation. Today I saw in a newspaper that Minister Rauff Hakeem has expressed views that Tamils and Muslims should unite to have a separate governing body for the North East. Some Tamil political parties were disturbed over this. My opinion is that all the Tamil parties should be given representation at peace talks if we are to achieve durable peace.

M. M. Musthapa (UNP): I am pleased to join this adjournment debate when all Muslim MPs united in this House to demand a separate Muslim delegation at the peace talks. The proposal came to a momentum point when all Muslim MPs from the North East met at A. H.M. Fowzie's House.

We are united with the idea that there should be a separate Muslim delegation at the peace talks. What we disagree on is that the separate Muslim delegation should be from the Muslim Congress. The Muslim representation should be decided by the Muslim MPs Forum. They should not be confined to the MPs from the North East. My humble request is that Muslim in the country should not be divided on this issue and they should be given equal recognition whether they are from the North East or from the South.

R. Sampanthan (TULF) : The Tamil Language has been as much the mother tongue of the Muslim people as it has been of the Tamil people. This has been particularly so in the North East. In the North East in so far as the Tamil and Muslim people are concerned Tamil is the medium of instruction in education. Tamil is the language that the Tamil and Muslim people desire to use for administrative and judicial purposes and though the Law stipulates that it should be so, the Administrative Machinery and the Law and order enforcement machinery are not willing to give the Tamil Language its due place, or they are not geared to do so, or perhaps it is a combination of both these elements that has not given Tamil its rightful place. This would be one of the immediate tasks of the proposed Interim Administration. The Tamil and Muslim people in the North-East interact with each other in the Tamil Language, the Tamil Language is a strong common factor that binds them together, and by virtue of this common linguistic bond they are very much at home with each other. That is how the Tamils and Muslims, have lived together in the North-East, for generations and centuries in perfect peace and harmony. That is why the Northern and Eastern provinces are together regarded as the areas of historical habitation of the Tamil speaking peoples. The Tamil and Muslim peoples.

Conflict between the Tamils and Muslims has been a recent phenomenon. It certainly is a post 1983 phenomenon. It is a by-product of the armed struggle waged by Tamil Youth particularly the LTTE against the Sri Lankan Armed Forces. The armed struggle was looked upon by Tamil Youth as the only means to overcome the oppression of the Insensitive Sri Lankan state.

The Sri Lankan State which had no interest in fostering amity between the Sinhala people and the Tamil people had no interest whatever in fostering amity between the Tamil and Muslim peoples. The Sinhala state subverted the linguistic affinity between the Tamil and Muslim people to its advantage. The Sinhala State promoted disharmony between Tamil and Muslim Youths by using Muslim youth, to promote its own military objectives. Muslim youth who were proficient in the Tamil Language were used for intelligence gathering; Muslim youth amongst whom as with Sinhalese and Tamil youth, unemployment was rife, were recruited to the paramilitary arm of the Sri Lankan State. The Sri Lankan State brought about a situation, where a fair number of Muslim youth were seen to be engaged in military combat against Tamil youth. The fact that substantial numbers of them were in the paramilitary arm of the Sri Lankan State, blurred, the distinction between what was civilian and what was military. This served the purposes of the Sri Lankan State, which was primarily interested in a Military solution. It however, for the first time in centuries made Tamil - Muslim relationship quite complex. Elderly Tamils and Muslims were deeply disturbed by this aberration, but they were helpless. What we sometime witness even after the ceasefire is the hang over of this situation. The realisation and acceptance by the Sri Lanka State that there can no military solution to the Tamil question, and the Memorandum of Understanding bringing about the ceasefire, and the sustenance of the ceasefire for more than 20 months has brought about a significant change in mind attitude and approach.

We see substantial progress being made on the ground as a result of discussions between the LTTE and Muslim Civil Society.

It has however been noted that discussions with the Civil Society does not exclude political discussions between Muslim Political representatives and the LTTE.

In order to save time, may I table an agreement arrived at and reduced to writing at a meeting between the LTTE and the North-East Muslim Peace Assembly on 20th September, 2003. The objective of the Meeting was reconciliation and peaceful co-existence. This meeting pertained to some problems in Batticaloa - Amparai. Similar meetings are being held in Trincomalee. In Fact over the last weekend, a meeting took place between the LTTE and Muslim Civil Society at Trincomalee, in regard to cultivation

by Muslims in the area of the controversial Kurankupanchan Camp. Amicable decisions were arrived at in such a manner as to ensure that Muslim rights are in no way jeopardized.

These are clear positive indications of the improving ground situation. There can be no question however that discussions with Muslim representatives will have to take place, both in regard to the Interim Administrative arrangements and in regard to the final solution. There cannot be a decision in regard to either the Interim Administrative Arrangements or the Final solution, without the fullest discussion with Muslim representatives. We are fully supportive of that position.

This is essentially a matter which has got to be worked out between the parties to the conflict and the main negotiating sides - the Sri Lanka Government and the LTTE. It is essentially a question of timing and would substantially depend upon the subject matter under discussion. We reiterate however that any decision in regard to the interim administration arrangements or in regard to the final solution can only be after the fullest discussions with the Muslim representatives. We say this because we realise, though the Muslim people may not have been a part of the struggle to radically alter the structure of governance in this country, or to bring about a paradigm shift in the structure of the Sri Lankan state, that the North-East has been, and we want it to always, be, as much the Home of the Muslims as of the Tamils and others who live with us. So that I do not think there is any need for the Muslims to view this whole question with a great degree of skepticism.

Let us all come together and move into a new era. Before concluding, without detracting in any way from what I have said, there is one factual observation which I would like to make.

I shall confine myself to the period after the country attained independence. The Tamil people and the Tamil political Leadership, have been in the vanguard for political change and the Sinhala State and Sinhala political leadership have by and large dealt with Tamil political Leadership.

The Bandaranaike-Chelvanayakam Pact in 1957 dealt with political changes in the whole of the North-East, the negotiations were between the Sri Lanka Government the Prime Minister, S. W. R. D. Bandaranaike - The Tamil Leader, S. J. V. Chelvanayakam and the Federal Party. The Dudley Senanayake-Chelvanayakam Pact in 1965 inter-alia dealt specifically with certain specific rights of the Tamil speaking people - the Tamils and the Muslims of the North-East the negotiations were between the Sri Lanka Government, Prime Minister Dudley Senanayake -the Tamil Leader, S. J. V. Chelvanayakam and the Federal Party.

The genesis of the 13th Amendment to the Constitution and the Provincial Councils Act were the extensive discussions that took place between the Government of President, J. R. Jayewardene his Cabinet and the T.U.L.F., almost throughout the months of July and August, 1986 - What was eventually enacted was a diluted version of what was agreed upon - there was a convenient excuse that the new enactments had to be within the framework of a Unitary State - the point I make however is that the negotiations were between the J.R.J. Government and the T.U.L.F., the prime Tamil Political Party of the day under India's good offices. The current Prime Minister Hon. Ranil Wickremesinghe was present at every one of those discussions. Many who participated are no more.

That was very much the position, even during the discussions on Constitutional Reform during the 1994-2000 period of the Chandrika Bandaranaike Kumaratunga Government - The task of getting the maximum for the North East would be entrusted to the T.U.L.F. The Sri Lanka Muslim Congress for instance had certain areas of specific concern.

In the overall context however, we do agree that there should be effective participation by Muslim representatives before final decisions are arrived at.

Leaders of the Sri Lanka Muslim Congress, the North East Muslim Front and the leaders of the, Alliance of Tamil parties have discussed this matter. We shall work together to ensure that the views of Muslim representatives as expressed by them at negotiations and the concerns of the Muslim people receive the earnest consideration of both the government and the LTTE and are adequately addressed.

I also like to refer to the position taken by Hon. Lakshman Kadirgamar on behalf of the Sri Lanka Freedom Party. As mentioned by Minister Rauff Hakeem today in this House, President Chandrika Bandaranaike Kumarathnga rejected their request to have a separate Muslim delegation at peace talks. This is a contradictory situation.

Lakshman Kadirgamar: President Chandrika Bandaranaike Kumarathnga took that position as substantial talks had not commenced. Today we have a different context where we are about to commence substantial talks.

R. Sampanthan: We welcome the corrected position taken by the SLFP. However we see this situation as a political use of its position in order to destabilize the current situation.

Rauff Hakeem: Since there is an exchange of ideas over the position taken by the President, I wish to clarify the situation. We find the position taken by Mr. Kadirgamar as a step to stabilise the peace process. Nevertheless Mr. Sampanthan I don't see this as a situation to score politically.

Every party has a right to have a different position in different contexts.

Dr. Thowfeeque (UNP): First of all I wish to thank Mr. A. H. M. Fowzie by gathering Muslim MPs, to ask for a separate Muslim delegation in this House. The Tamil and Muslim people had to search for their goodwill we had earlier. So it is important to ensure the rights of Muslims. No one can deny the Muslims' right to have, a separate delegation at peace talks.

Nimal Siripala de Silva (PA): I am happy to contribute to the debate on the motion which has been moved with the signature of Minister Rauff Hakeem. As Mr. Kadirgamar mentioned in this House the Sri Lanka Freedom Party fully endorses a separate Muslim delegation at peace talks. Today Minister, Hakeem has to move this motion as the LTTE is not keeping the promise which they have given to them.

So what we are emphasising is that our party is not against peace. We are staging our protest against the LTTE position taken during this peace process. We need representation from all parties. There should be representatives from Muslim representatives from the President and the Sinhala community.

Anjan Umma (JVP): The ceasefire agreement has failed to give adequate attention to the hardships and problems of the Muslim people. We are not approving the current peace process. The security of the Muslims is at stake. We have to face the reality. There should be a genuine peace. The Government must take, into consideration this alarming situation.

M. S. Thowfee (UNP): Muslim people have suffered severe hardships due to the prolonged conflict. Their properties have been destroyed. Thousands of Muslim people are still living in refugee camps. They should be allowed to return to their native villages. There are many problems facing our people. These problems should be solved at the negotiating table. Therefore, a separate Muslim delegation should be sent to the future negotiations.

A. H. M. Fowzie (PA): Our people have been ardent supporters of peace. But we have been undergoing severer hardships with our properties being destroyed. Not a single community can be left out from the peace process. Especially the Muslim community who have suffered the most in the conflict.

Therefore, an independent Muslim delegation should be allowed to take part in the peace talks.

Adequate measures should be taken to safeguard the interest of the Muslim community.

Ferial Ashraff (PA): We believe that aspirations of all communities should be taken in to consideration in order to ensure a lasting peace in this country. We always stressed that the interest of the Muslims should be taken up at the peace talks.

Although we speak the Tamil Language, Muslims are a different community and we have our own identity. Therefore, it is necessary for us to have a separate delegation representing the Muslims.

R. Baddurdeen (UNP): We stress that the Muslim community should be allowed to participate as a separate delegation at the future peace talks.

Our people had been chased away from North-East and still thousands of families are, living in refugee camps in dire circumstances.

Therefore, we should be given an opportunity to take up our issues at the future negotiations with a view to achieve a lasting peace. The Government and the LTTE should take into consideration these issues.

Segu Izadeen (PA): Minister Rauff Hakeem after the signing of the MoU made a statement that the Muslim community endorses the MoU one hundred per cent. But he had to change his stance when Tamil Muslim problems arose two or three months later. I wish to thank Minister Hakeem for re-commencing talks with the LTTE with a separate delegation. For that we should be thankful to him. But Minister Hakeem kept silent when Muslims in the East were facing problems at the hands of LTTE. It was the National Unity Alliance which raised the cry about injustices caused to Muslim and pointed out the weaknesses in the MoU. So one party alone cannot represent the Muslim community when we discuss the Muslim issue at peace talks. Therefore, Minister Hakeem alone cannot take the credit in this matter.

H. M. M. Hariss (SLMC): Today we are debating a motion to have a separate Muslim delegation at the peace talks. We all should understand what our objective is. We should have a separate delegation to ensure the rights of Muslims in the North and East. The Government and LTTE accepted that these should be a separate Muslim delegation at the peace talks. The question today is, as to why the- LTTE is opposing this idea now. There had been a several demonstrations, opposing a Muslim representation at the peace talks.

Ven. Baddegama Samitha Thera (PA): I observe today's debate as a timely one when we are in a critical juncture in search of a durable solution to the ethnic conflict in this country. Today we have come to an important juncture in this conflict as two major parties in this country have accepted devolution of power as a solution for the ethnic conflict. Today we emphasise the Muslims' right to have a separate delegation of the

peace talks. That is their distinct right and they should be given that right without any hesitation if we are to reach a durable solution.

Anwer Ismail (SLMC): Today is a historic day where all the Muslim MPs unite to ensure the rights of Muslims. Today we are facing a grave situation in the East. Our request is that we should have a separate representation at the peace talks to put forward our grievances at the peace talks and to ensure that our rights are given when forming, an interim administration.

S. M. Chandrasena (PA): As an MP who hails from an electorate with 26 per cent of Muslim people, I am glad to contribute to this debate. The situation in this country changed after the 1983 riots. Though LTTE making an endeavors to separate this country, there is no such environment in this country as all communities like to live together. I also would like to emphasise the necessity have a representation from all political parties in this House.

Minister of Hindu Religious Affairs T. Maheshwaran: Minister Rauff Hakeem represented the government delegation at the peace talks. So he had the chance to observe what was discussed at the peace talks. We all suffered during the two decade war. So this problem should not be taken as a big problem. I am not taking the position that Muslims should not be given a separate delegation. We know the repercussions from suppression of a community.

Deputy Minister of Housing Baseer Segu Dawood: Today we are having this debate as a result of a meeting held at the residence of A. B. M. Fowzie. We are asking a separate Muslim delegation to ensure the right of Muslims. The problems faced by the Muslims in the East were a clear sign that Muslims are considered as a separate community. Muslims were harassed at the hands of other communities. If Muslims are subjected to these injustices continuously they would be compelled to take up arms. It should be equally accepted that if Tamils cannot be separated from the North and East, Muslims also cannot be separated from their habitations in the North East.

There will be no result if Muslims are sidelined when searching for a final solution to the problem. We should sit down and talk whether the North and East should remain merged or Tamils and Muslims should have separate governing bodies in the North East.

Opposition Leader Mahinda Rajapakse (PA): I welcome the conference the Muslims MPs had at the residence of A. H. M. Fowzie to settle the problem in a more wider manner. Today we have decided to support this motion as it would help Muslims to table their grievances. During my visit to Jaffna, Trincomalee and Puttalam I observed that Muslims have not got a chance to solve their problems even during the period of the ceasefire agreement. Muslims represent a considerable percentage in the North East. The Muslim community in the country is based on a religious background. So no one can deny the right of the Muslims to have a separate delegation to table their grievances. As a major party I wish that Muslims will be given their due place at the talks as my colleague Hisbullah mentioned under the leadership of Minister Rauf Hakeem.

Minister of Buddhasasana, Justice and Law Reforms, W. J. M. Lokubandara: Mr. Chairman we cannot forget the sacrifices made by Muslims for the country. During today's debate the identity of the Muslims in this country was highlighted. So the entire House endorses that they should be given their due rights by giving them a chance to have separate representation to argue the cause of the Muslims. It is obvious that talks on the Interim Administration proposals will be discussed soon after LTTE hands over their proposals to the Government. We hope the talks on the interim administration structure will be positive and constructive. So Prime Minister Ranil Wickremesinghe informed me over the phone from India, to inform this House that there will be without doubt Muslim representation when discussion are commenced on the interim administrative proposals.

3. LTTE-TAMILS HUMAN RIGHT VIOLATIONS AND WAR CRIMES AGAINST NORTH EAST MUSLIMS

Before the Ceasefire Agreement of 22nd February 2002

With the increased activities of the Tamil militants in the early part of 1985, the animosity and resentment of the Tamils towards the North East Muslims took a more acrimonious turn. Consequent to it, numerous incidents of extortions of money, robbing jewelry and other valuables at gun point, and threat to co-operate with the separatist movement took place.

The breaking point came when the Tamil terrorists tried, in the course of robbing a rich Muslim trader, to take his daughter as hostage in Akkaraipattu, a predominant Muslim Town, in the Amparai District. Angered by this, the Muslims registered their protest by a peaceful hartal from 08th to 12th April 1985 and hoisted Sri Lanka National Flag in the bazaar, declaring solidarity of the Muslims with the government and their rejection of the division of the Country.

With this incident, the Tamil, Muslim ethnic violence swiftly spread to Kalmunai, Kattankudi, Eravur, Ottamawadi, Valaichenail, Muthur and Kinniya. Hundreds of Muslims were killed by the armed Tamil separatists and many billions of Rupees worth of properties belonging to both the Tamil and Muslims were burnt and destroyed. It is during the April 1985 riots, that the Tamil and Muslims fought each other as separate communities for the first time in the East.

About 26 Muslims were killed and another 200 were injured when the IPKF shelled Ottamawadi, a predominant Muslim Village in the Batticaloa District on 02nd December 1987. A Number of houses and shops belonging to Muslims were burned and destroyed. Some Muslims women were also reported to have been raped by the IPKF. About 14,000 Muslims became refugees and fled to the North – Central Province, Polonnaruwa.

Kattankudi, the home of nearly 60,000 Muslims, situated 4 miles down South of Batticaloa, was attacked by the armed Tamil separatists on 30th of December 1987. In this fierce attack, nearly 60 Muslims were killed and more than 200 were injured. Properties worth 200 Millions belonging to the Muslims were burned and destroyed by armed Tamil militants. All these happened in the presence of the Indian Peace Keeping Forces – IPKF. Although the attack lasted for two days, Kattankudi was under siege until the 8th of January 1988. During this period, all movements, in and out of the area were blocked by the armed Tamil militants while the IPKF was supposed to be in control of the area.

Ethnic Cleansing of Muslims by the LTTE

The Muslims from the Northern Province were forced to leave their homes in the third week of October 1990. The ultimatum in many places was that they should leave the region within 48 hours. Most Muslims refugees continue to live in abject conditions outside the North. Contrary to many other situations of displacement in the country, the majority of the displaced Muslims as a result of the ethnic cleansing by LTTE have not been able to go back to their places of birth in the North. At present, there are about 65,000 Muslim refugees living in the North-Western coastal region in the Puttalam district. The value of assets robbed by the LTTE during 1990

ethnic cleansing is more than Rs. 10,256 Million or US\$ 110 Million. Houses damaged 11,110 Million. The lands forcibly occupied 30,400 Acres.

Nearly 63,000 acres of paddy lands belonging to Muslims of the Eastern province were forcibly taken over by the LTTE and agricultural produce confiscated. The lands belonged to the displaced Muslims from the Northern Province continues to remain under the control of the LTTE. Besides, agricultural implements, motor vehicles and cattle were taken away by force by the LTTE. Under the law of property in force in the country, a land owner loses his or her right to possession if their property is occupied by usurpers for 10 years. It is now more than 21 years since Muslims in the North East have been forcefully displaced from their properties by the LTTE.

Economic Destabilisation of Muslims in the North – East

A politico-military strategy of the LTTE has been to weaken the economic strength of the Muslim community. In order to realize this objective, the LTTE, as was the case with other Tamil militants, have targeted economic ventures and business places of the Muslims. Robbing of business goods and abduction of business men for ransom remain the common specter in the North-East.

Denial of Fishing Rights

With the eviction of the Muslim community from the North East, a considerable section of the Muslim fisher-folk have been rendered unemployed. In areas such as Valaichenai, Ottamavadi, Eravur and other coastal areas in the East, boats and fishing gears were routinely robbed by the LTTE. Many Muslim fishermen have also been killed while at sea by the sea tigers.

Non-respect for Religion and Culture

In many instances, in the North East, the cultural and religious symbols of the Muslim community have come under attack from the LTTE and other Tamil militant groups. The grenade attack on a mosque in Akkrappattu and massacre of Muslims at congregational prayer in Kattankudy and Eravur, as well as the cold-blooded murder of Hajj pilgrims returning in 1990 in Kaluwanchikudi, demonstrate the extent of intolerance shown by the LTTE and Tamil militants towards the religion and culture of the Muslims.

Summary of identified Muslim Civilians Killed by LTTE-Tamil Militants.

- 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 Mutur 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
- 186 Muslims were killed by Police in June 1990
- 147 Muslims were killed at Alingippottanai in April 1992
- 30 Muslims were killed at Pottuvil in June 1991

After the Ceasefire Agreement of 22nd February 2002

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. The Batticaloa and Ampara Districts 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 threw them in a 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 at the site. The Army Major Hettiarachi contacted the Head Quarters and he was given the orders from Colombo 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 during cease fire.

Soon after the ceasefire agreement, the Muslims went back and started paddy cultivation in their fields in Kurangupanchan, Kinniya. They renovated the Mosque as decided at a meeting held on 11.06.2003. LTTE chased the Muslims families resettled here and put up their military camp in the Mosque building.

LTTE War Crimes against the Muslims

When the LTTE closed the Mavillaru anicut the government and the Army never understood their true intention in order to capture Muthur. They strengthened the safety of the Mavillaru area neglecting the security of Muthur. The government removed around 400 security personnels who were deployed in Muthur and posted them in the Mavilaru area and this had made Muthur more vulnerable to LTTE attacks.

The LTTE carefully observed the situation and entered Muthur on 02nd of August 2006 without any resistance from the security forces. They disconnected the electricity. The Muslims without any protection were caught unaware. They vacated their homes and went into the mosques and Arabic College hoping that they will not be attacked in those places. However what happened was something else. The

LTTE used the Muslims as human shields when the army attacked them. The Muslims got caught in the crossfire from both the army.

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, patience both from the hospital and the casualties suffered without treatment. The Muslims had to struggle for their mere survived.

The Muslims while running for their lives with white flags were attacked by the LTTE on the way. The women and elderly were tortured and the youngsters were separated and murdered.

Internally displaced Muslim from Muthur, Thoppur & Palaththoppur during the war 01-08 August 2006

Displaced Population	Displaced Families	Male	Female	Children	Injured	Pregnant Mothers	Feeding Mothers	Widows on Iddah	Death	Missing
39,648	9,920	14,666	16,283	4,685	413	355	1,277	25	33	7

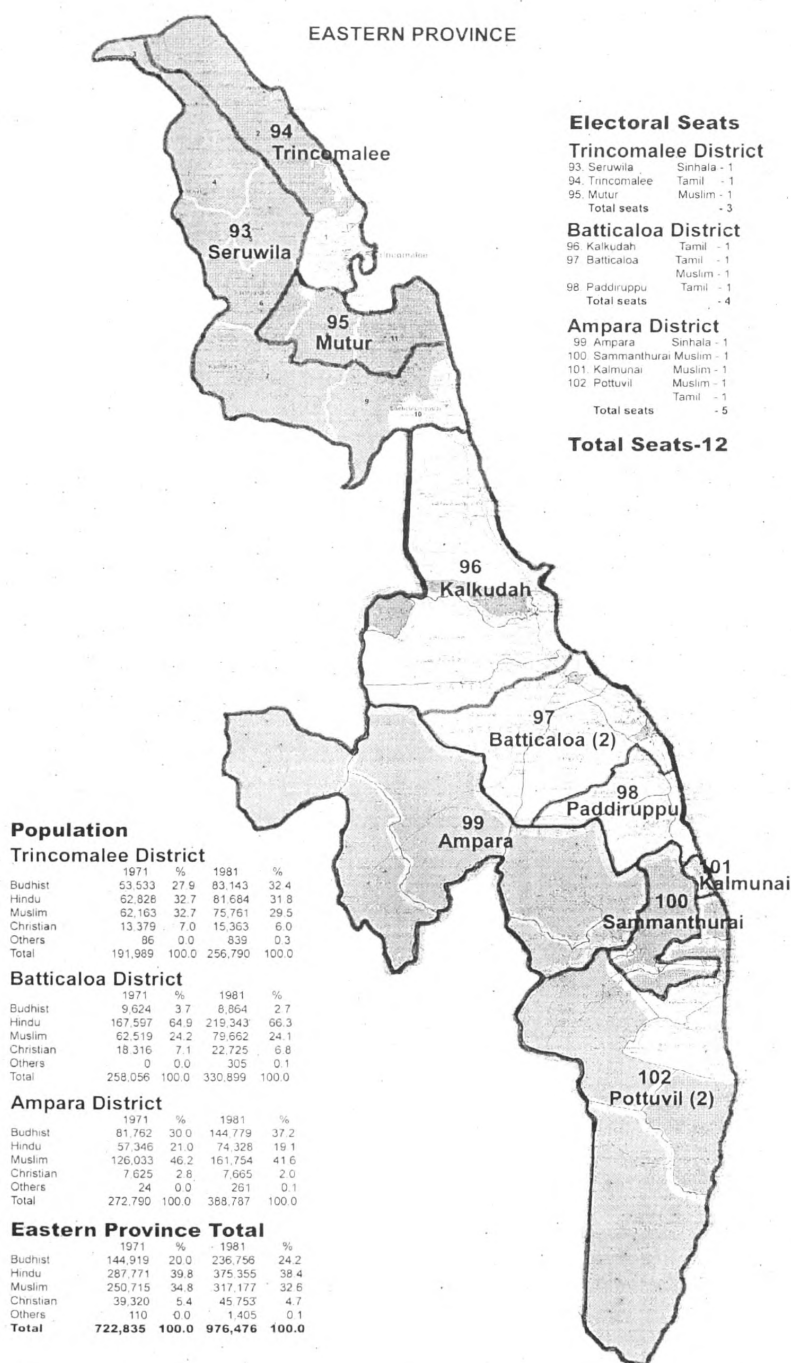
LTTE has been trying varies methods, first it was the Interim Administration in the North East, then the Sub-committee on De-escalation and Normalization (SDN) and later the Sub-committee on Important Humanitarian and Rehabilitation Needs (SIHRN). The primary object of all these arrangements is to transfer the powers vested with the Center to North East or rather to LTTE-Tamils with international recognition. By this Process the LTTE tried to get legitimacy and international support for its role as the sole representative of the North-East – the area of historical habitation of the Tamil-speaking peoples - Tamils and Muslims.

4. 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.

1981 population in the Eastern Province

	Trincomalee District	Batticaloa District	Ampara District	Eastern Province
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%)	161,481 (41.66%)	315,201 (32.49%)
Sinhalese	89,341 (33.96%)	10,646 (3.24%)	146,371 (37.77%)	243,358 (25.09%)
Total	245,250	328,170	387,577	970,010

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-oya, Pannal-oya, Ambalam-oya in Ampara District and Kanthalai, Allai, Morawewa, Muthelikulam, Pathavia (Pait), and Mahadiluwera schemes in the Trincomalee District.

It is from the Eastern Province, most of the Muslim Representatives are elected by the Muslims for the Muslims and today we have 7 Muslim MPP – 6 elected and 1 national list in the Parliament.

5. GRIEVANCES OF MUSLIMS IN THE EASTERN PROVINCE

Grievance No.1

Ministry of Chief Minister for the Eastern Province

Local Before the election, His Excellency President Mahinda Rajapakse promised
Government that the group that return the highest number of members to the council
and Provincial would be given the chance to appoint the chief minister.
Councils

The election results reflected the mood of the people in the Eastern Province with UPFA's 18 elected members comprising, 8 Muslims, 6 Tamils and 4 Sinhalese whilst the UNP – SLMC list returned 9 Muslims 4 Tamils and 2 Sinhalese. The JVP and the TDNA returned 1 Sinhalese and 1 Tamil respectively. In total, of the 35 elected members from both side, there were 17 Muslim representatives as opposed to 11 Tamils and 7 Sinhalese. However the Government did not appoint a Muslim as the Chief Minister of the Eastern Province as promised.

Grievance No.2

Ministry of Language of Administration in the Eastern Province

National Tamil Speaking population in Ampara District is more than 63% and the
Languages population in the Trincomalee District 76% of the total population. But all
and Social public institutions in Ampara and Trincomalee Districts of the Eastern
Integration Province, particularly the police stations in predominant areas of Tamil speaking peoples still continue to administer and maintain public records in Sinhala and not in Tamil Language as provided in the Constitution.

Ministry of There are 14 police stations in the predominant Muslim areas in the Eastern
Defence Province. These police stations do not have Muslim police officers according
Public to ethnic ratio.

Security, DIG, Eastern Range (South). SSP-Ampara – Maruthamuna, Kalmunai,
Law and Sammanthurai, Akkaraipattu, Pottuvil
Order

DIG, Eastern Range (Central). SSP-Batticaloa – Valachchenai, Kalkudah, Eravur, Kattankudi

DIG, Eastern Range (North). SSP-Trincomalee – Trincomalee, Kinniya, China Bay, Muttur, Kuchcaveli, SSP-Kanthalai – Thambalagamam

Grievance No.3

Ministry of Government Agent – District Secretaries and Grama Sevaka
Home Affairs Niladharies

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.4

Ministry of
Agricultural
Development
& Agrarian
Services

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 Eastern Province.

Ampara District

D.S. Division	Title Holding				Permit Holding				PLR Holding				Total			
	No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent		
		A	R	P		A	R	P		A	R	P		A	R	P
Lahugala	19	136	-	-	43	119	2	-	57	192	-	-	119	447	2	-
Pottuvil	123	1319	2	27	628	2285	2	26	479	1729	2	-	1230	5334	3	13
Thirukkivil	20	171	-	5	175	378	-	19	296	783	3	-	491	1332	3	24
Alayadiwembu	3	15	-	-	11	22	-	24	117	195	2	-	131	232	2	24
Akkaraipattu	5	45	1	37	8	39	2	-	19	90	-	-	32	174	3	37
Addalaichenai	62	285	1	34	301	862	3	-	20	85	-	-	383	1233	-	34
Ninthavur	3	13	2	-	-	-	-	-	16	79	-	-	19	92	2	-
Sammanthurai	45	260	-	34	320	784	-	15	119	463	2	20	484	1507	3	29
Irakkamam	15	107	1	24	40	134	-	19	46	212	3	13	101	454	1	16
Kalmunai	37	407	3	4	40	126	3	4	510	2485	3	-	587	3020	1	8
Navithanveli	3	43	3	18	2	1	1	-	55	281	-	32	60	326	1	10
Uhana	-	-	-	-	5	15	3	8	21	74	-	38	26	90	-	6
Damana	-	-	-	-	3	13	-	-	4	11	-	-	7	24	-	-
Total	335	2805	1	23	1576	4782	2	35	1759	6683	1	23	3670	14271	2	1

Batticaloa District

D.S. Division	Title Holding				Permit Holding				PLR Holding				Total			
	No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent		
		A	R	P		A	R	P		A	R	P		A	R	P
Eravurpattu	354	3505	-	25	682	3400	3	2	980	5065	1	16	2016	11971	1	3
Eravur Town	15	598	1	2	1	2	-	-	76	385	-	-	92	985	1	2
Kattankudy	1	8	-	-	-	-	-	-	1	-	-	12	2	8	-	12
Koralaipattu	144	830	1	15	496	2276	1	-	274	1213	1	8	914	4319	3	23
Koralaipattu North	8	74	1	25	39	142	2	-	120	512	3	25	167	729	3	10
Koralaipattu South	9	98	2	12	17	77	-	-	26	85	-	-	52	260	2	12
Koralaipattu West	112	752	3	15	472	2169	1	12	460	1807	2	17	1044	4729	3	4
Koralaipattu Central	36	186	-	26	71	352	-	-	488	1481	2	24	595	2019	3	10
Manmunai	97	710	3	32	7	29	-	-	10	47	-	-	114	786	3	32
Manmunai North	5	20	-	27	2	5	-	15	3	14	2	-	10	39	3	2
Manmunai South	2	16	3	33	-	-	-	-	-	-	-	-	2	16	3	33
Manmunai S-W	8	95	2	35	-	-	-	-	1	3	-	-	9	98	2	35
Manmunai West	101	946	3	1	24	92	1	38	31	170	1	39	156	1209	2	38
Poraiteevupattu	2	37	3	17	1	5	-	-	-	-	-	-	3	42	3	17
Total	894	7882	-	25	1812	8551	1	27	2470	10785	3	21	5176	27219	1	33

Trincomalee District

D.S. Division	Title Holding				Permit Holding				PLR Holding				Total			
	No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent			No. of Cases	Extent		
		A	R	P		A	R	P		A	R	P		A	R	P
Kinniya	113	669	3	1	253	661	2	11	1885	5869	-	34	2251	7200	2	6
Kuchchaveli	11	49	3	-	35	268	-	-	812	3287	3	25	858	3605	2	25
Trincomalee T & G	2	6	-	-	2	7	-	-	10	25	1	4	14	38	1	4
Gomarankadawala	-	-	-	-	-	-	-	-	1	3	-	-	1	3	-	-
Morawewa	8	27	3	6	28	78	2	12	395	1147	3	-	431	1254	-	18
Seruvawila	44	240	2	9	24	104	-	-	80	287	2	-	148	632	-	9
Muthur	233	751	-	4	298	830	-	7	922	2681	1	23	1453	4262	1	34
Total	411	1744	3	20	640	1949	-	30	4105	13302	-	6	5156	16996	-	16

The right to return to their lands cultivated on Title Deeds, LDO Permits, PLR etc. are denied to the Muslims in the Eastern Province. Title Deeds are denied to the lands cultivated by Muslims on Temporary Annual LDO permits for more than 30 years.

Grievance No.5

His Excellency the President and Department of Public Trustee **Muslim Trust Properties unlawfully occupied by LTTE Tamil Terrorist**
Tamil militants are unlawfully occupying lands belonging to Muslim religious and cultural organizations – 1560 Acres in Thirukkovil 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.6

Ministry of Disaster Management and Human Rights **2004 December 26 "Tsunami" – Muslim Areas Discriminated**
The government has not treated the 'Tsunami' affected Muslim people fairly. In the three districts of the Eastern Province – Ampara, Batticaloa and Trincomalee, there are 22,644 houses to be reconstructed. In Batticaloa 4,426 houses, Trincomalee 5,737 and in Ampara, the worst affected district the need is 12,481.

In the Batticaloa District, the TRO (Tamil Rehabilitation Organisation) has been channeling funds to resettle the affected Tamil people. But Kattankudy's costal 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. Political confusion has greatly contributed to the mismanagement of relief. LTTE held areas in the 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.

Grievance No.7

Ministry of Urban Development & Sacred Area Development **Lands in the Buffer Zone**
The government has relaxed the hotly-debated 200 meter 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 Batticalao District to 80 metres, Pottuvil and Arugambay to 50 metres, and Kalmunai to 65 metres in the Ampara District form the earlier 200 metres.

Land available within the 200 meters from the sea and the relaxed buffer zone.

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. But the Buffer Zone boundaries have not yet been fully demarcated on ground and there is utter confusion in these Muslim coastal areas in the Eastern Province.

Grievance No.8

Ministry of
Home Affairs

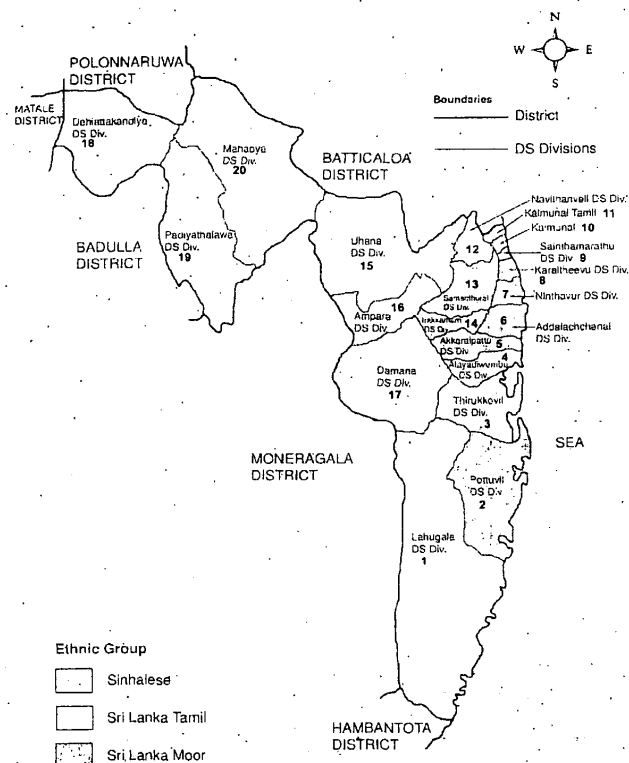
Public Administration

After de-merging the north and east in October 2006, the Eastern Province administration is being ethnically transformed. Former Trincomalee GAs Rodrigo and Nelundeniya are chief secretary and public administration secretary respectively. Former Matale GA, Udage is the secretary of the provincial Public Services Commission.

There are also many Sinhalese ex-servicemen in key positions in the Eastern Province. The Governor, District Secretaries of Ampara and Trincomalee, the Rehabilitation Coordinator and the Governor's Secretary are all Sinhalese.

Specific Grievances of Muslims in the Ampara District

Land Area, Population – 2007 and Registered Muslim voters in 2008



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims.		Tamils		Muslim Registered Voters 2008
						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	18,264
	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	25,402
06	Addalachchenai	39721	6.50	52.50	288.35	1967	5.0	37349	94.0	404	1.0	25,671
	Ninthavur-Karawahupattu											
07	Ninthavur	25652	4.20	55.62	186.22	9	0.0	24506	95.5	1129	4.4	16,833
08	Karaitheevu	16656	2.73	31.25	120.91	23	0.1	6534	39.2	10098	60.6	4,629
09	Sainthamaruthu	25147	4.12	66.87	704.46	3	0.0	25144	100.0	-	-	17,254
10	Kalmunai	42852	7.02			48	0.1	42689	99.6	115	0.3	29,458
11	Kalmunai Tamil	29025	4.75			248	0.9	1957	6.7	26818	92.4	1,263
	Sammanthuraipattu											
12	Navithanveli.	18436	3.02	256.70	631.67	61	0.3	6026	32.7	12349	67.0	4,208
13	Sammanthurai	55592	9.10			81	0.1	48566	87.4	6939	12.5	33,667
14	Irakkamam	13006	2.13			759	5.8	11948	91.9	296	2.3	8,248
	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	184,897

2008 Registered voters - 420,835

Grievance No.1

Ministry of Pottuvil

Home Affairs 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 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.2

Ministry of Livestock and Dairy Farmers Agricultural Co-operative Society Limited

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

Development

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.

The dispute on the pasture land allocated to the society continue to remain unsettled.

Grievance No. 3

Ministry of Division of Akkaraipattu DS Division

Home Affairs 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 Alaiyadivembu AGA's Division.

The Divisional Secretariat Administration was introduced in 1992. But Akkaraipattu DS Division and Alayadivembeu 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.4

**Ministry of
Water Supply
& Drainage**

Periyakalappu - Sambukalappu Drainage

This is one of the most urgent needs of the people of Akkaraipattu and Addalachchenai 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.5

**Ministry of
Home Affairs**

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 North – Uhana AGA Division.

Grievance No.6

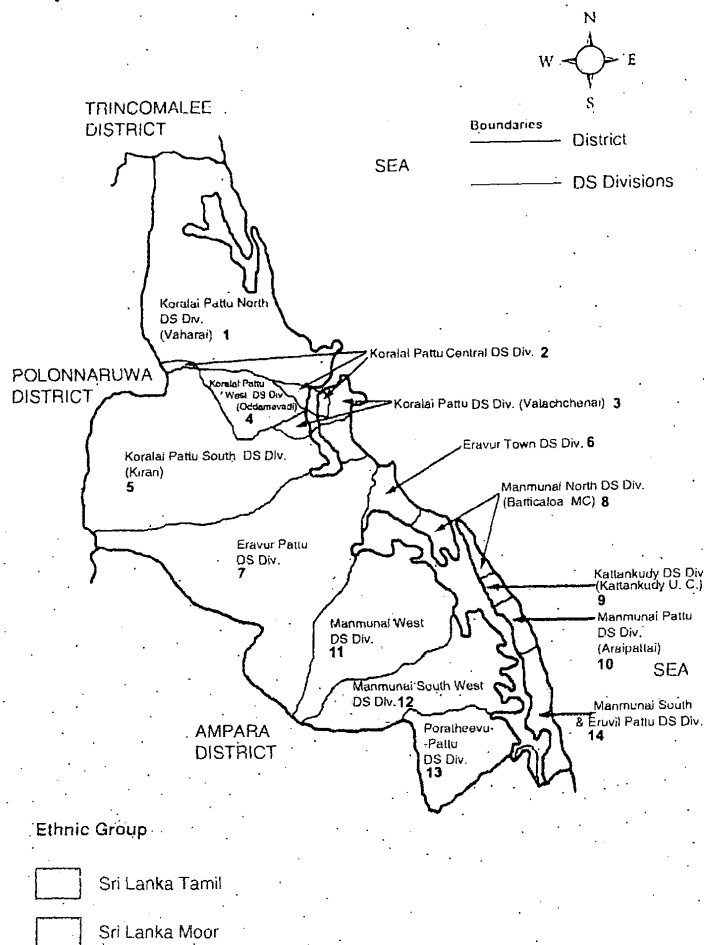
**Ministry of
Home Affairs**

Irakkamam

The sub AGA's Office in Irakkamam has been upgraded as a DS Office without proper demarcation of boundaries or any Gazette notification.

Specific Grievances of Muslims in the Batticaloa District

Land Area, Population – 2007 and Registered Muslim voters in 2008



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils		Muslim Registered Voters 2008
						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	14,014
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	26,358
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	12,678
07	Eravurpattu	75886	13.55	634.10	356.91	1430	1.9	13333	17.6	61123	80.5	8,007
	Manmunai											
08	Manmunai North	88459	15.80	75.90	416.05	226	0.3	3925	4.4	84308	95.3	2,336
09	Kattankudy	39523	7.06	3.89	185.89	-	-	39517	100.0	6	0.0	23,689
10	Manmunai	30747	5.49	31.72	144.61	1	0.0	6541	21.3	24205	78.7	4,004
	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	91,086

2008 Registered voters - 333,644

Grievance No.1

**Ministry of
Home Affairs**

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.2

**Ministry of
Resettlement
& Disaster
Relief
Services**

Resettlement of forcibly displaced Muslims in Muslim Colony Batticaloa

- (a) Resettlement of 175 Muslim families displaced in the Muslim Colony.
- (b) Resettlement of Muslim families displaced from Nochchimunai and Poonochchimunai within Batticaloa Municipal area bordering Kattankudy

Grievance No.3

**Ministry of
Resettlement
& Disaster
Relief
Services**

Eravur

Most of the Muslim agriculture and cattle farm land owned by the Muslims lie 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 of Karuna and the Government armed forces without any consideration of the displaced Muslims by the LTTE.

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 pay 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.

The displaced Muslims suffered untold hardships during the last 22 years. Now after the GOSL cleared these areas from the LTTE, the TVMP of Karuna with the help of the government security forces and INGO assistance, putting up permanent houses, churches, temples and schools in the Muslim lands forcibly occupied by the LTTE without any consideration for Muslims' right to return who are the lawful owners of these lands.

Grievance No.4

Ministry of Koralapaththu Central

Home Affairs Although the Local Government Commission declared Koralapaththu 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.

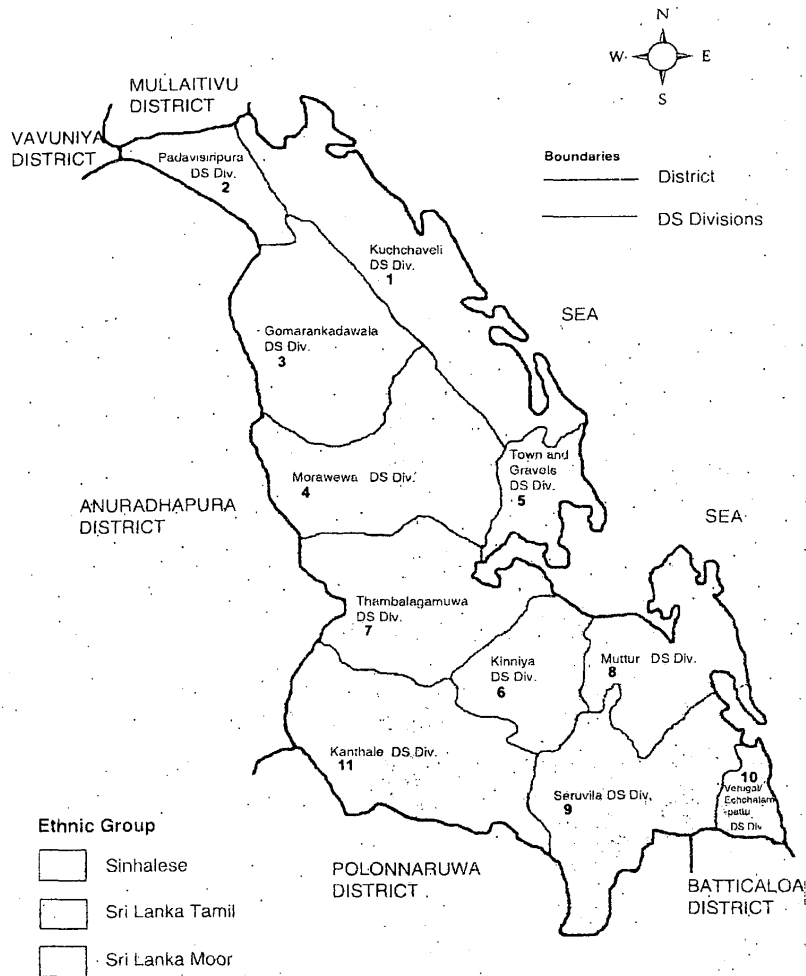
Grievance No.5

Ministry of Kattankudi Muslim Border Villages

Home Affairs Ollikulam, Sikaram, Karbela, Palamunai, Kankayan Odai, Keechampallam are the Muslim border villages of Kattankudi in Arayampathi Pradeshiya Sabha. Displaced Tamils after 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 is making arrangements to settle the displaced Tamils permanently on land belonging to the Muslims and the Mosques.

Specific Grievances of Muslims in the Trincomalee District

Land Area, Population – 2007 and Registered Muslim voters in 2008



No.	D.S. Division	Total Popula. 2007	District %	Land Available sq. km	Land Eligible sq. km	Sinhalese		Muslims		Tamils		Muslim Registered Voters 2008
						2007	%	2007	%	2007	%	
	Kattukkulampattu East											
01	Kuchchaveli	26327	7.87	313.30	207.14	412	1.6	18971	72.1	6935	26.3	13,503
02	Padavisiripura	10666	3.19	217.10	83.92	10664	100.0	0	0.0	1	0.0	
	Kattukkulampattu 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	723
	Town and Gravette											
05	Town and Gravette	89046	26.63	148.00	700.62	16837	18.9	12483	14.0	59633	67.0	8,922
	Kinniya Division											
06	Kinniya	61558	18.41	146.90	484.34	0	0.0	59055	95.9	2503	4.1	42,681
07	Thambalakamam	27572	8.25	244.40	216.94	6005	21.8	16802	60.9	4352	15.8	12,057
	Kottiyarpattu											
08	Mutur	47132	14.10	179.40	370.84	146	0.3	34080	72.3	12531	26.6	24,596
09	Seruvila	11142	3.33	279.00	87.67	7152	64.2	2079	18.7	1876	16.8	1,447
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	5,546
Total		334363	100.00	2630.80	2630.80	84766	25.4	152019	45.5	96619	28.9	109,475

2008 Registered voters - 241,133

Grievance No.1

**Ministry of
Defence,
Public
Security, Law
and Order**

Resettlement of forcibly displaced Muslims in Kurangupanchan Village in Kinniya

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.

Grievance No.2

**Ministry of
Home Affairs**

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 311 and 311 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.

6. EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008

Final District 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%

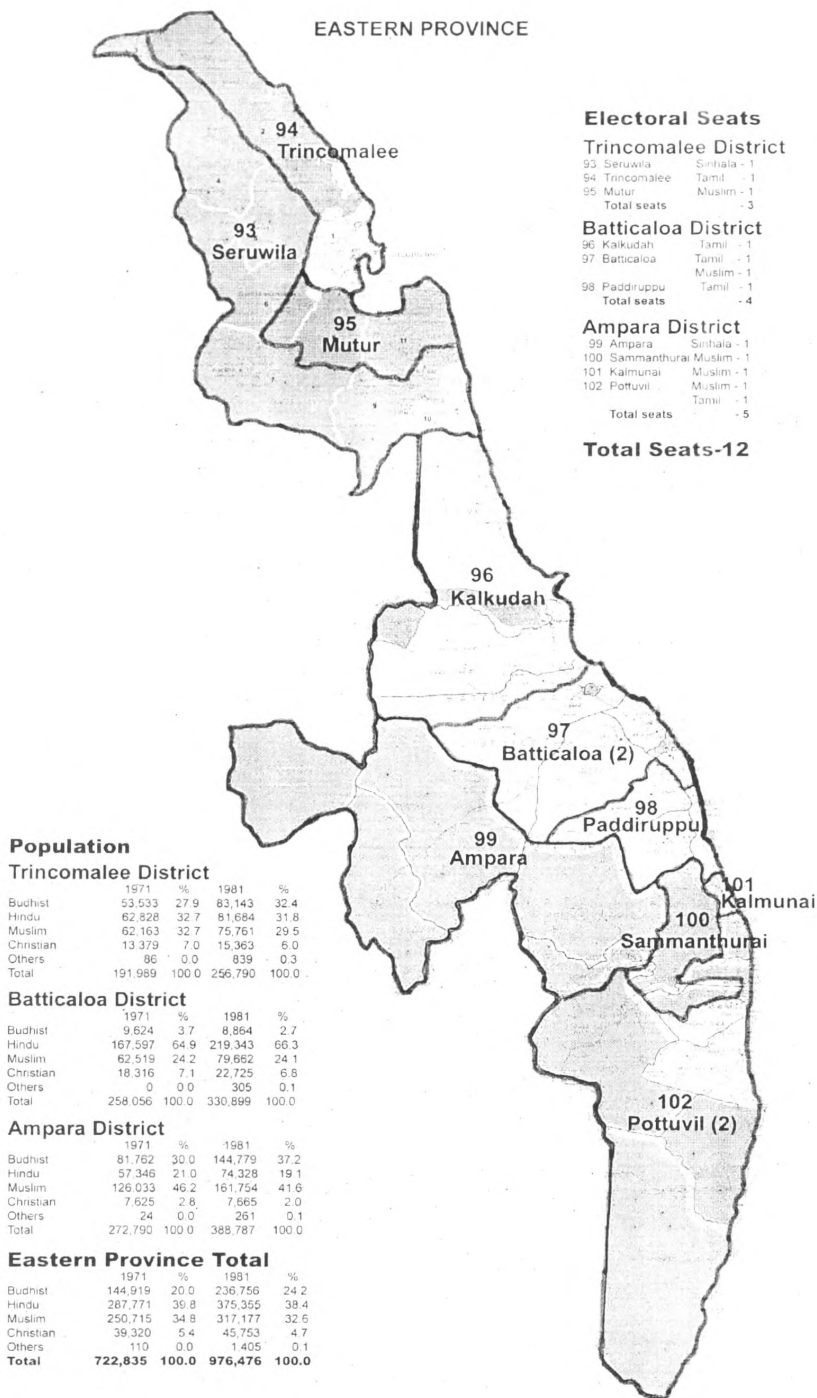
Batticaloa District

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



EASTERN PROVINCIAL COUNCIL ELECTION - 10 MAY 2008.

ETHNIC COMPOSITION OF ELECTED REPRESENTATIVES.

UPFA			UNP			TDNA	JVP
Muslims	Tamils	Sinhalese	Muslims	Tamils	Sinhalese	Tamils	Sinhalese
Batticaloa District							
J.S. Mohamed	Pillayan		Basheer S.D.	Sasikaran		R.Thuraiathan	
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						

Ampara District

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				

Trincomalee District

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

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, Education, Co-op Development and Food Supply and Distribution.

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 claimed 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.

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, one Tamil in the TDNA 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.

Mr. Hisbullah takes oath as Eastern Provincial Council Minister



7. 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, Mullaithievu, 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	10,857	242	17	25
Chavakachcheri	19,640	55	18,881	112	589	2	-	1
Point Pedro	15,087	25	14,657	224	171	-	1	9
Nelliady	13,941	32	13,795	64	50	-	-	-
Kankesanthurai	14,587	380	14,051	85	46	20	5	-
Chunnakam	17,164	1,224	15,732	117	88	-	1	2
Island South	38,475	37	38,106	173	158	-	-	1
Valikamam North	57,627	438	56,846	211	127	2	2	1
Valikamam East	59,366	169	58,736	390	60	6	1	4
Thenmarachchi	51,905	108	51,567	131	93	3	2	1
Total	406,007	3,914	386,013	3,493	12,239	275	29	44

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
Total	100,520	873	83,078	15,164	1,315	66	3	21

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: Jaffan, 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	2,949	14	16	163
Vavuniya North	11,703	218	8,009	3,396	52	6	9	13
Venkalachcheddikulam	21,347	341	12,100	5,243	3,639	1	6	17
Total	95,894	15,876	54,541	18,592	6,640	21	31	193

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	12,999	36	18	1,440
Manthai West	23,996	268	13,802	4,802	5,075	1	6	42
Musali	13,917	1,951	3,035	224	8,703	-	2	2
Nanaddan	19,916	730	13,525	3,930	1,687	3	1	40
Total	106,943	8,710	54,106	14,072	28,464	40	27	1,524

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
Total	64,562	3,821	47,451	9,421	3,753	93	17	6

8. THE GRIEVANCES OF MUSLIMS IN THE NORTHERN PROVINCE

Northern Muslims

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, Mullaithievu, 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.

The forcible eviction of more than one hundred thousand Muslims, destruction of mosques, schools, the confiscation of lands, houses, business and cultural premises, are the grievances of the Northern Muslims.

Northern Muslims are unable to go back and cultivate more than 30,000 acres of agricultural lands and occupy nearly 15,000 Residential Houses, Business and cultural premises belonging to them. The losses suffered by the Northern Muslims were estimated to be more than US\$ 100 millions.

Details of the forcibly displaced Muslims from the North who are now 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

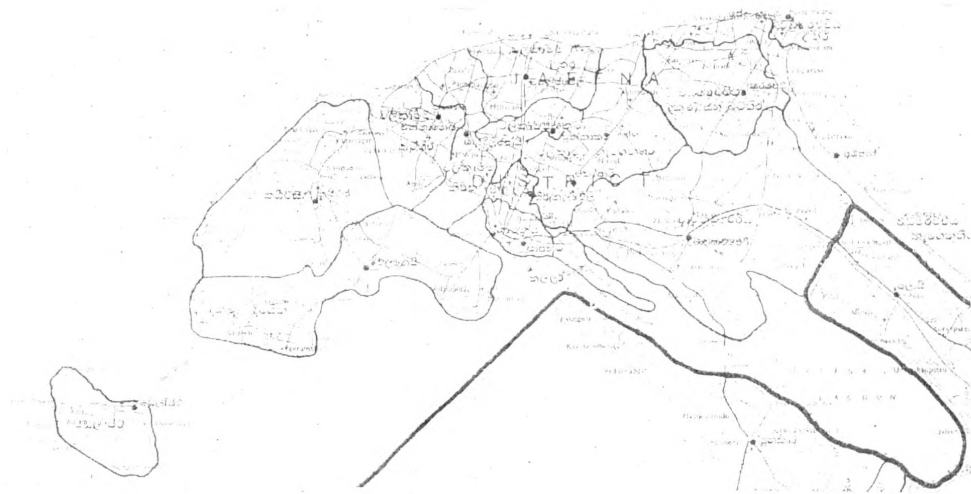
The detail and value of Muslim assets robbed by the LTTE Tamils during the forcible expulsion in October 1990

<u>Description</u>	<u>Quantity</u>	<u>Value in Million</u> <u>Rupees</u>
Residential houses and properties	22,000	5,500
Commercial establishments	2,402	2,100
Religious and Cultural Institutions	340	1700
Agricultural Lands	39,400 Acres	200
Gold Jewelleries	475,000 Grams	300
Cattle	211,000	150

Motor Vehicles	320	160
Motor Cycles	800	20
Carts	750	4
Bicycles	4000	25
Fishing Boats	850	40
Engines (Boats)	400	16
Fishing Nets	1200	8
Refrigerators	200	2
Television sets	2000	40
Radio Sets	600	1
Total		Rs. 10,256

Grievance No.1

Ministry of Resettlement of Jaffna Muslims
Resettlement
& Disaster
Relief
Services



Lands of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	Extent		
			A	R	P
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

Residential Houses of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
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
	Total	1,391	497,859,750.00

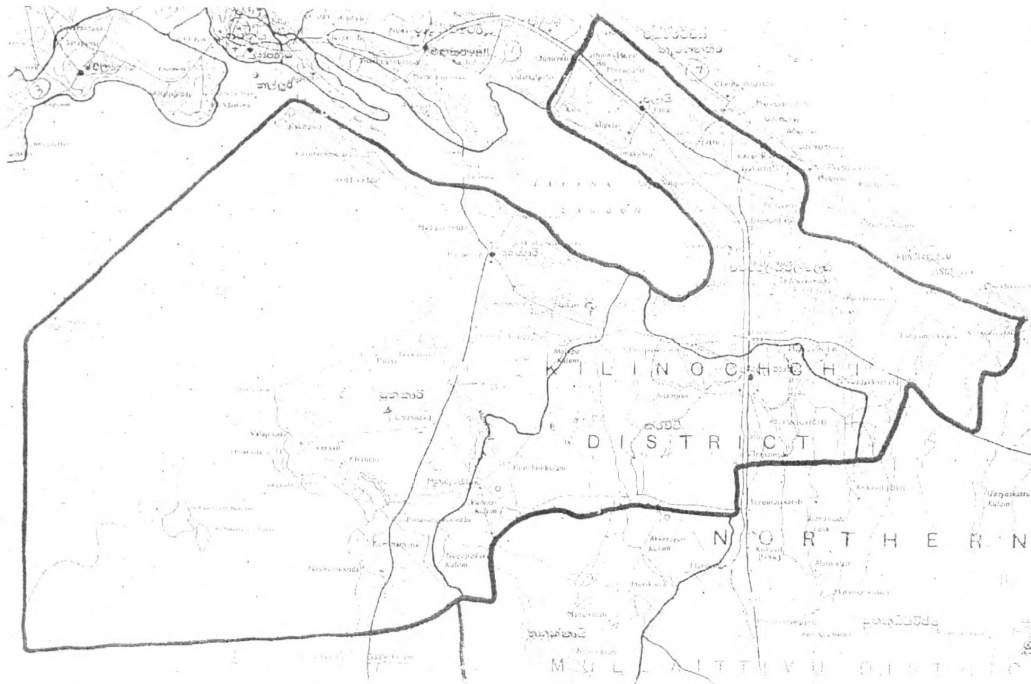
Properties of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
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
Total		2,430	694,607,633.00

Grievance No.2

Ministry of
Resettlement
& Disaster
Relief
Services

Resettlement of Kilinochchi Muslims



Lands of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	Extent		
			A	R	P
Kilinochchi	1 Poonakari	114	283	3	25
	2 Karachchi	151	233	1	29
	3 Pachchilaipalli	7	8	-	10
	Total	272	525	1	24

Residential Houses of Muslims forcibly displaced by the LTTE in October 1990

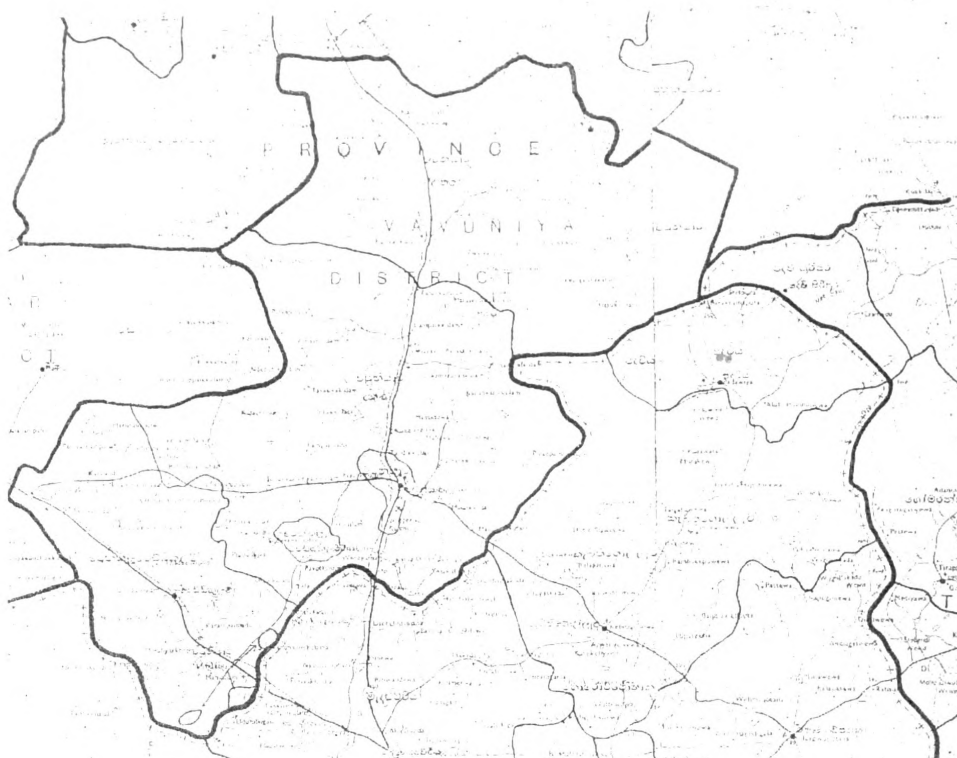
District	DS Division	Cases	1990 Value
Kilinochchi	1 Poonakari	97	15,331,500.00
	2 Karachchi	132	36,364,000.00
	3 Pachchilaipalli	7	485,000.00
	Total	236	52,180,500.00

Properties of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
Kilinochchi	1 Poonakari	122	28,700,000.00
	2 Karachchi	184	38,755,335.00
	3 Pachchilaipalli	10	716,000.00
	Total	316	68,171,335.00

Grievance No.3

Ministry of
Resettlement
& Disaster
Relief
Services

Resettlement of Vanni Muslims**Lands of Muslims forcibly displaced by the LTTE in October 1990**

District	DS Division	Cases	Extent		
			A	R	P
Vavuniya	1 Vavuniya south	870	3,795	1	2
	2 Venkalachchettikulam	1,066	1,327	1	20
	Total	1,936	5,122	2	22

Residential Houses of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
Vavuniya	1 Vavuniya south	881	110,984,337.00
	2 Venkalachchettikulam	1,225	112,548,955.00
	Total	2,106	223,533,292.00

Properties of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
Vavuniya	1 Vavuniya south	954	153,434,559.00
	2 Venkalachchettikulam	1,415	206,853,541.00
	Total	2,369	360,288,100.00

Grievance No.4

Ministry of
Resettlement
& Disaster
Relief
Services

Resettlement of Mannar Muslims**Lands of Muslims forcibly displaced by the LTTE in October 1990**

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

Residential Houses of Muslims forcibly displaced by the LTTE in October 1990

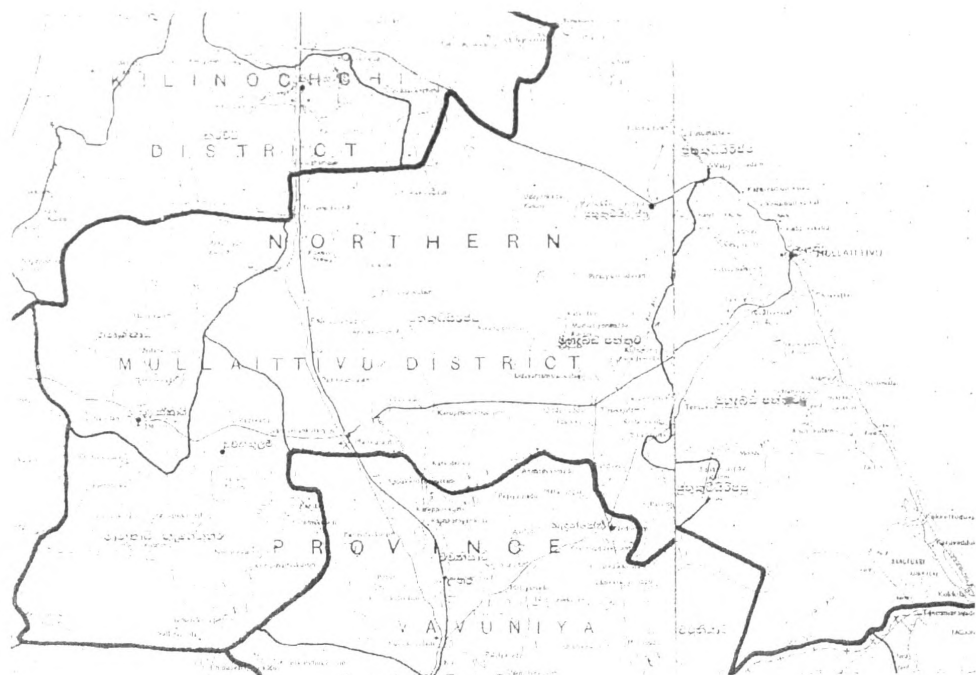
District	DS Division	Cases	1990 Value
Mannar	1 Mannar	2,328	415,530,090.00
	2 Musali	2,725	335,612,675.00
	3 Manthai west	863	179,271,860.00
	4 Madu	257	30,291,700.00
	5 Nanattan	252	34,637,100.00
	Total	6,425	995,343,425.00

Properties of Muslims forcibly displaced by the LTTE in October 1990

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
	Total	7,507	1,481,722,445.00

Grievance No.5

Ministry of
Resettlement
& Disaster
Relief
Services

Resettlement of Mullaiteevu Muslims**Lands of Muslims forcibly displaced by the LTTE in October 1990**

District	DS Division	Cases	Extent		
			A	R	P
Mullaitheevu	1 Maritimepattu	978	1,095	-	22
	2 Puthukudiyiruppu	16	53	1	12
	Total	994	1,148	1	34

Residential Houses of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
Mullaitheevu	1 Maritimepattu	936	148,795,850.00
	2 Puthukudiyiruppu	16	1,565,000.00
	Total	952	150,360,850.00

Properties of Muslims forcibly displaced by the LTTE in October 1990

District	DS Division	Cases	1990 Value
Mullaitheevu	1 Maritimepattu	1,040	231,619,498.00
	2 Puthukudiyiruppu	20	2,268,650.00
	Total	1,060	233,888,148.00

9. RESETTLEMENT OF INTERNALLY DISPLACED NORTH EAST MUSLIMS

India, United States, United Kingdom, Japan, Australia and many more countries generously donated billions of rupees for the resettlement activities of about 280,000 Tamil IDPs whose suffering began only after May 2009. On the eve of the defeat of LTTE, top political leaders from the West – British Foreign Secretary David Miliband, French Foreign Minister Bernard Kouchner, UN Secretary General Ban Ki Moon rushed to the island to show their humanitarian concern. Few days later UN Secretary General dispatched his Deputy Lynn Pascoe on September 16, 2009 to visit the Tamil IDPs and press the government to speed up their resettlement activities. Furthermore, Head of the United Nations Refugee Agency Antonio Guterres promised further help for caring and resettling the Tamil IDPs.

Indian Government has set aside Rs. 500 crore for the resettlement of Tamil IDPs and its High Commission Alok Prasad stated that a “broad based political settlement” of the ethnic conflict would enable the Rs. 500 crore relief and rehabilitation package for Tamil IDPs to be utilized in a more effective manner. Indian External Affairs Minister S.M. Krishna had told the Indian Parliament that the Prime Minister Man Mohan Singh was willing to give more than the pledged five billion Indian rupees for the resettlement of Tamil IDPs. Meanwhile Tamil Nadu Chief Minister M. Karunanidhi called for speeding up the resettlement of displaced Tamils stating that his government had dispatched four consignments of relief materials worth Rs. 15 crore to Sri Lanka apart from what the Indian Government has send on its own.

However, all these Western and Indian human kindness dried up completely when it comes to the sufferings of Muslims driven out at gunpoint by the LTTE from the Northern and Eastern Provinces and have been languishing in refugee camps for 20 long years.

The Government of India has already commenced constructions of 50,000 houses for the resettlement of the displaced families. Muslims being more than 20% of North East, expect the allocation of 10,000 houses for the displaced Muslims.

RESETTLEMENT OF 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 Municipal area 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.

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
Total Families					2,526

Resettlement of forcibly displaced Muslims in Kurangupanchan Village in Kinnya – Trincomalee District

The Kurangupanchan Village is about 20 sq. km in extent and 15 km East of Kinnya town. After the floods in 1957 the Muslims started to settle here. Kunchiappa, Mohamed Casim, Cader and Razikeen were the first people came and started chena cultivation. Later Muslims came in large numbers and settled here. Since it was a jungle area, the new settlers had problems with monkeys - called Kurangu in Tamil, and therefore the area is called Kurangupanchan.

In 1970 the SLFP Muslim member of Parliament Mr. Abdul Majeed helped the renovation of the tank at Kurangupanchan and helped the local farmers to cultivate paddy in about 500 acres. Later the name of the place was also changed to Majeedpuram. However the place is continued to be known as Kurangupanchan.

In 1980 a permanent building was constructed for the Mosque and Jumma prayers were conducted regularly. The Muslims school started in 1979 in a cadjam hut got a permanent building and the school was named as Barakath Government Muslim Mixed School and Grade 1 to 6 classes were conducted.

More than 255 Muslim 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 Kinnya. Kiran (56) Majeedpuram (46) Kalladi Vedduvan (33) Vellankulam (53) Kallaruppu (13) Sungankuli (19) are some Muslim GS Divisions in the Kurangupanchan area.

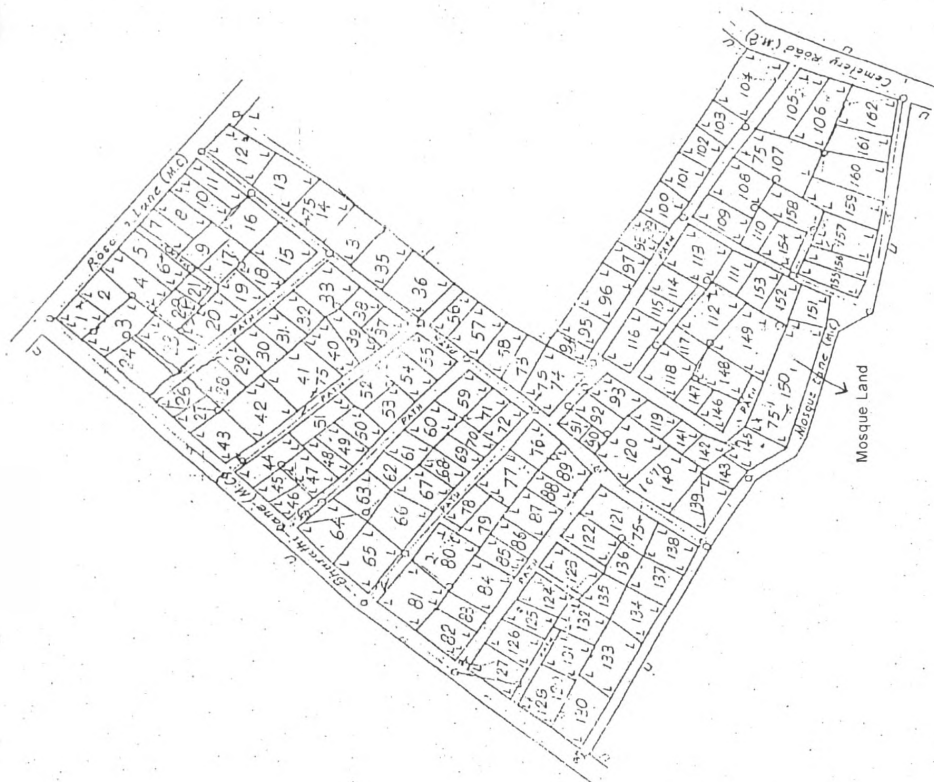
1. The forcibly displaced Muslims from Kurangupanchan Village - Kiran, Majeed puram, Kallaveppu, Vellengulam, Singamkulam, Kalladivetuwan GS Divisions should be resettled immediately.
2. The damaged Mosques, Schools, Roads and Tanks should be renovated immediately

Resettlement of forcibly displaced Muslims from Muslim Colony in Batticaloa

WARD NO. 11 within the Municipal Council Limits of Batticaloa

D.S. Division: Manmunai North

District: Batticaloa



P. PLAN uv 844

Tamil and Muslim communities were given state lands for residential purposes in 1962. The then Member of Parliament Mr. Rajathurai allocated state lands for Tamils in Iruthayapuram, Mamangacolony and Koolavadicolony and the Late Mr. Macan Makar M.P. allocated the state land in Kalliyankadu for the Muslims who were landless in Koddamunai in Batticaloa. This Muslim settlement was called Muslim Colony.

More than 175 Muslim families were living in the Muslim Colony for more than 05 decades. In early 1990, the LTTE armed terrorist came to attack the Muslims, fortunately the timely arrival of the Security Forces saved them from disaster.

After this incident, Muslims were harassed by the Pro-LTTE terrorist members of the Tamil Community and the Muslims were forcibly chased out from the Muslim Colony. Since 1990 Muslims have been living as refugees in different parts of Batticaloa District.

1. **“Masjithul Firdouzi” Mosque**

This Mosque was completely destroyed by the LTTE Tamils after the ethnic conflict in 1990 and now a new building is being constructed by the Premakumari Prayer Centre. The Divisional Secretary has also allocated a part of the Mosque land to a private individual.

2. **Muslim School – Bat/Zahira Vidyalaya**

This school and the land allocated for the playground have been unlawfully occupied by the Tamils.

3. **Muslim Burial Ground**

This is the only burial ground allocated to the Muslim in Batticaloa. The barbed wire fence is removed and a new gravel road constructed through the burial ground.

4. Although the Government has banned the allocation of land belonging to the displaced people, Batticaloa District Secretary has allocated the lands of the displaced Muslims from Batticaloa Muslim Colony to the Tamils without any consideration for the legitimate rights of the original residents.

10. MEDIATION TO RESOLVE MUSLIMS' LAND ISSUES IN THE NORTH EAST

After 1983 ethnic violence, it was found that the Tamils in the North have started to forcibly occupy the lands belonging to the Muslims in areas close to the Tamil villages. There are 65,000 acres of agricultural lands belonging to nearly 15,000 Muslim families in the East.

When questioned during the Media Conference which was described as the largest media event in Sri Lanka organised by the Tamil Tigers on 10th April 2002; about the forcible expulsion of tens of thousands of Muslim families by the LTTE in October 1990 from Tamil dominated areas in the North and the massacre of Muslims inside mosques in the East, LTTE Political Advisor Anton Balasingam said "It is I who made an apology to the Muslim people in public for what has happened in the past and that we are willing to talk to them and resolve these issues."

Responding to another question whether he has taken any concrete steps to allow the displaced Muslim people living in refugee camps for the last 16 years to come back to North, Mr Velupillai Pirabakaran said "proper objective conditions should be created for these people to come back. After these conditions are in place, I will make an appeal for the Muslims to come back."

Questioned about harassment of Muslims in the eastern province and the statement that the LTTE's eastern commander, Karikalan had reported to have made that the Muslims had no land rights in the Eastern province, Mr. Anton Balasingam replied, "we want to tell you that we have called the senior commanders of the eastern province to discuss the alleged harassment of Muslim people. We believe that there is no dispute as far as the LTTE leader is concerned on the issue of the Muslim people owning land in the North-East."

On an invitation from the LTTE Leader V. Pirapaharan, the Leader of the SLMC Minister Rauff Hackeem flew to the North with five of his party colleagues for a meeting on the 13th April, 2002.

Agreement was reached on important practical difficulties faced by the Muslims in the North-East. LTTE Leader Pirapaharan invited the displaced Muslims from Jaffna and Wanni to come and resettle in their own places. It was decided to establish joint committees of representative from the LTTE and SLMC to facilitate the resettlement. Similarly it was decided to create favorable conditions for the resettlement of the Muslims who were displaced from Muslims villages in the Eastern Province.

It was decided to help the Muslims to recultivate the uncultivated agricultural lands belonged to the Muslims in the North- East.

It was also agreed to appoint representatives from each district in the North East to discuss the problems faced by the Muslims with LTTE Senior Commanders and to strengthen Tamil Muslims relationship.

தமிழக விடுதலைப் புலிகள் - சிவலங்கா முஸ்லீம் காங்கிரஸ்
கூட்டு அறிக்கை

[illegible][illegible]

1. The first of these is the fact that the Commission has not yet received the information requested by the Commission in its letter of 10 October 1991.

[illegible]

செய்துள்ள சில அளவுகளைக் கீழ்க்கண்டவாறு இவ்வாறு தீர்மானிக்கப்பட்டது.

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கி.த. 1948-ம் ஆண்டு நவம்பர் 1-க்குள்ளே அப்படி சம்பந்தம் இல்லாதவர்களைக் கொண்டு போக
 டி.பி.சி. அமைப்பின் முடிவாக, கருவராய் கமிட்டியின் பரிந்துரைப்படி மேலாண்மைத் துறையினால்
 பொருள் செலவுத் திட்டம் தீர்மானிக்கப்பட்டது.

தமிழகத்தின் முதல் முதல் குடிநீர் வழங்கும் திட்டம். இது 1952-53-ல் தொடங்கி 1954-55-ல் முடிவடைந்தது. இது தமிழகத்தின் முதல் குடிநீர் திட்டம்.

Chrysomelidae

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**ENGLISH TRANSLATION OF LTTE - SLMC
JOINT STATEMENT DATED 13 APRIL 2002**

At the LTTE leader's international media conference on 10th April, 2002, Mr. Anton Balasingham repeated his previous apology made at a public meeting on behalf of the LTTE for the forcible expulsion in 1990 of thousands of Muslims by the LTTE as a "political blunder" that could not be justified. Mr. Balasingham said : "Let us forget and forgive the mistakes made in the past. Tamil Elam is also the homeland of the Muslims and we have to live in harmony and amity to promote peace and prosperity in the region." LTTE leader Pirapaharan also acknowledged that the problems of the Muslims have to be resolved along with the problems of the Tamils.

On an invitation from the LTTE Leader V. Pirapaharan, the National Leader of the SLMC and Cabinet Minister Rauff Hackeem flew to the North with five of his party colleagues for a meeting on the 13th April, 2002.

LTTE National Leader Velupillai Pirapaharan, Political Advisor Anton Balasingham, Political Chief S. P. Thamilselvan, Batticaloa District Col. Karuna, Trinco. District Col. Pathuman. And Mrs. Adale Balasingham participated on behalf of the LTTE.

Agreement was reached on important practical problems faced by the Muslims in the North-East. LTTE Leader Pirapaharan invited the displaced Muslims from Jaffna and Wanni to come and resettle in their own places. It was decided to establish a joint committee of representatives from the LTTE and SLMC to facilitate the resettlement. Similarly it was decided to create favorable conditions for the resettlement of the Muslims who were displaced from the Eastern Province.

It was decided to help the Muslims to recultivate the uncultivated agricultural lands belonged to the Muslims in the North- East.

The LTTE agreed to cease immediately extortions from the Muslims in the Eastern Province.

It was decided to appoint an SLMC representative from each district in the North East to discuss the problems faced by the Muslims with LTTE Senior Commanders and to strengthen Tamil Muslims relationship.

It was decided to continue similar top level meetings.

It was decided for the SLMC representatives to participate as group on behalf of the Muslims at the negotiations to be commenced between the Government and the LTTE.

It was decided to approach the political issues of the Muslims in the North East on a policy basis and continue discussions to foster their unique political, cultural and ethnic rights.

Since the SLMC had obtained the majority support of the Muslims, it was decided to talk to the SLMC on matters pertaining to the Muslims in the North East.

Sgd.

V. Pirapaharan

National Leader – LTTE

Sgd.

Rauff Hackeem

National Leader -SLMC

The resolution of the land question in the North East would benefit more than 26,000 families and will establish the basis for conflict resolution and help peaceful co-existence between the Tamils and Muslims. It would certainly go a long way to heal one of the worst wounds at the heart of the relations between the two communities.

MUSLIM LANDS FORCIBLY OCCUPIED BY THE TAMILS IN THE EASTERN PROVINCE

Ampara District

	Predominant Muslim Areas	No. Cases	Extrent		
			A	R	P
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
		4211	16764	1	14

Batticaloa District

	Predominant Muslim Areas	No. Cases	Extrent		
			A	R	P
1	Kattankudy	449	4231	1	12
2	Eravur	2263	12784	3	34
3	Oddamavady	1856	8710	1	37
4	Valaichenai	907	3086	1	30
		5475	28813	-	33

Trincomalee District

	Predominant Muslim Areas	No. Cases	Extrent		
			A	R	P
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
		5186	17092	2	26

Eastern Province Total	14872	62670	-	33
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MUSLIMS' LANDS FORCIBLY OCCUPIED BY THE TAMILS AFTER ETHNIC CLEANCING 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

Mediation

On a decision at the 5th session of the peace talks in Berlin on 7th & 8th of February 2003, LTTE – Muslim District Committees were established in all the three districts in the Eastern Province by the Government Peace Secretariat under the Prime Minister, to mediate lands and properties issues between the Tamils and Muslims.

**BERLIN RESOLUTION TO APPOINT COMMITTEES TO
ADDRESS MUSLIM LAND ISSUES IN THE
EASTERN PROVINCE.**



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பிரதம அமைச்சரின் அலுவலகம்

Prime Minister's Office

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- சமாதான நடைமுறைப்பாடுக கட்டிக்கொள்பதற்கான செயலகம்

- Secretariat for Co-ordinating the Peace Process

SCOPP/45

3rd March, 2003

Hon. A. Rauf Hakeem,
Minister of Port Development & Shipping,
Eastern Development & Muslim Religious Affairs,
45, Layden Bastian Road,
Colombo 01

Dear Sir,

Committees to Address Land Issues in the Eastern Province

At the fifth Session of Peace Talks held in Berlin (7 – 8 February, 2003) the following decision was reached.

6. *The parties agreed to establish three committees, one in each district of the Eastern Province, to address land issues and other areas of mutual concern. The committees will consist of six representatives of the Muslim population and six representatives of the LTTE. The work of the Committee will start immediately. Similar committees will be appointed to address such issues relating to other communities as and when required.*

I shall be grateful if you could let us know the steps that have been taken towards appointing these committees for the three districts of the Eastern Province, and any other steps towards implementing this decision.

An early reply is appreciated since progress on the implementation of this decision would need to be placed at the next session of talks in Japan.

Yours sincerely,

for Director General

Pkf/-

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10th floor, West Tower, World Trade Centre, Colombo 01.

Level 10, West Tower, World Trade Centre, Colombo 01.

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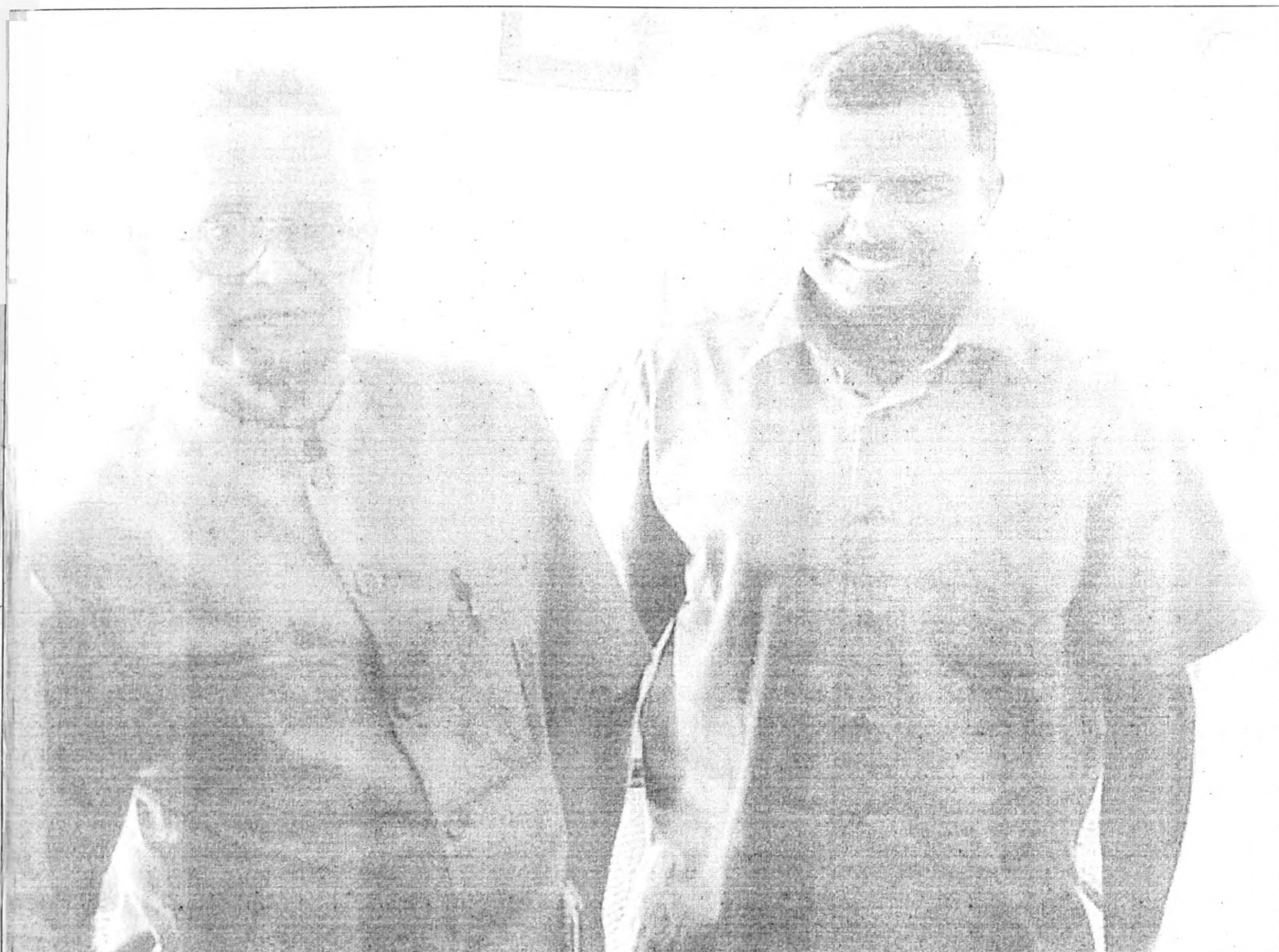
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The main reason for the present conflict between the Tamils and Muslims in the North East is the undue delay in implementing the agreements reached between the LTTE leader Pirabakaran and SLMC leader Rauff Hakeem on 13th April 2002 and the decision at the 5th Session of the peace talk held in Berlin during 7th and 8th February 2003 for the establishment of village level peace committees in the North East to mediate and resolve Tamil Muslim conflicts.



When LTTE expressed their desire to consult the North-East Muslim people about our concerns, 20 Muslim resource persons from all parts of the North-East were summoned on the initiative of Dr. Kumar Rupesinhe – Chairman of Foundation for Co-existence for consultation on 06th and 07th September 2003 in Colombo. At the end of the discussion it was decided unanimously to form a Muslim Civil Society Organisation – North-East Muslim Peace Assembly – NEMPA, to mediate with Liberation Tigers of Tamil Elam – LTTE

In a surprise move, LTTE senior leaders of the East met Muslim civil society representatives for discussions on 20th September 2003 and announced decisions very favorable to restoring normal life and communal amity among the two communities of the tension-prone region. Significant among the decisions was to immediately hand over to the Muslims their paddy lands in the LTTE controlled areas in the Batticaloa and Ampara Districts.

LTTE's Eastern Region Commander Col. Karuna Amman, Special Commander Ramesh Political leader Kousalyan, Economic Advisor Nizam and Ampara Political leader Bawa and NEMPA representatives Leader A.L.A. Jawath, Secretary General M.I.M. Mohideen, Y.M.A. Cader, U.L.M.N. Mubeen, M.H.M. Hakeem, I.M. Ibrahim, Dr. A.L. Farook, M.H.M. Muras participated in the discussion.

During the three hour meeting with representatives of the North-East Muslim Peace Assembly (NEMPA) at the LTTE guest-house "Thenagam" in Karadiyanaru, LTTE waived all hitherto-prevailing restrictions on paddy cultivation, fishing and movements in all LTTE-controlled areas in the East.

It was mutually agreed at the meeting to work in co-ordination at the village level to restore normal life, resettle displaced families in their original homes, strengthen the security of the Muslims and to work for their economic prosperity.

The LTTE also assured that it would do away with taxes on traders both Tamils and Muslims in the future when its various economic ventures in fishing and agriculture begin to yield profits.



LTTE Senior leaders of Trincomalee District met Muslim Civil Society - representatives from the North East Muslim Peace Assembly - NEMPA on 30th December 2003 and discussed

various issues affecting Tamil Muslim relationship and decided to establish village level zonal committees in the following areas to resolve the issues:

Kinniya, Thambalakamam, Mutur, Thoppur, Trincomalee Town, Kutchaweli and Pulmuddai.

LTTE Trincomalee Military Commander Pathuman Amman, Political leader Thilak Amman and Senior Official of the LTTE - S. Devan, T. Sivakumar, T. Sathya, S. Darman, Miss. T. Karunya, S. Udayan and NEMPA Secretary General M.I.M. Mohideen and Senior Officials - Assistant Secretary U.A. Wahab, M.M. Kareem Maulavi - Mutur, M.A.M. Anver - Kinniya, A. Jabeer - Kinniya, A.S.M. Abdeen - Mutur, M.M. Abdul Salam - Pulmoddai, M.A.G.M. Sabir - Thoppur, M.Y. Hidayathulla Maulavi - Kinniya, J.M. Yusoof - Trincomalee Town and K.A. Rahuman - Mutur, participated in the discussions together with Mr. Ali Zahir Maulana, at LTTE "Naduwapaniyakam" in Sampoor.

The Resolution of the Muslim Land Question in the North East Region

The resolution of the land question in the North East of Sri Lanka has become a dominant issue during the transition period between war to peace. The resolution of the land question will be a major contribution to the peace process in Sri Lanka, for it will create the basis for laying the foundation for co-existence between the Tamils and Muslims living in the North East.

The project intends to facilitate the transfer of agricultural lands and properties appropriated by the LTTE to Muslim owners in the Eastern region. It will help to create a framework, which can mediate and reconcile these claims through the use of alternative dispute resolution mechanisms. The Foundation for co-existence will collaborate with the Muslim Rights Organization with regards the Land Register and also collaborate with the Consortium of Humanitarian Agencies, the Mosque Federations, the LTTE, North East Muslim Peace Assembly and other relevant organizations.

Mediation and the Promotion of Co-existence

The transfer of the land will not be easy since Tamils have cultivated the land and some of it have been handed over to the families of Martyrs who had lost their lives or being injured in the war. Committee of the legal intricacies involved in such a transfer, alternative dispute resolution mechanisms and problem solving approaches will have to take place. It is therefore suggested that a proper framework be created which can help facilitate an orderly and structured process, which can ensure sustainable mediation and reconciliation.

Communications

Clear communications between all the stakeholders is essential for the success of the exercise. The communications strategy should keep all stakeholders fully informed and allay any fears and rumors, which could incite conflicts. The best way to do this would be to get the support of the Trustees of the Mosques the LTTE, NEMPA, SLMM and Members of Parliament in the region.

Alternative Dispute Resolution

Alternative dispute resolutions need to be setup in place for mediation and arbitration. Whilst the LTTE has promised to hand over the land to the Muslim owners, this is not easy since Tamils are already occupying or working on the land. Therefore alternative dispute resolution mechanisms, mediation and arbitrations may need to be put in place. Alternative dispute resolution means that measures should be found which would avoid a long and protracted cases in Court. In Sri Lanka it has been suggested that a **Mediation Commission** be appointed to deal with land disputes. Zonal special mediation boards could be appointed in each district composed of individuals from each community who can mediate on the issues. Currently the Ministry of Justice is framing legislative provisions to create such a Mediation Commission for the North Eastern region.

Mediation Centers

Eventually mediation centers will have to be established in each village. The Muslim Peace Secretariat should explore the best possible way in which such mediation centers could be established in each district. The establishment of mediation centers of a permanent nature is essential since the region is composed of a multi-ethnic population.

Confidence Building

Confidence building between the Tamils and the Muslims in the North East was taken up as a priority item at the Peace Talks commenced on Thursday the 31st October 2002, at the Rose Garden Holiday Resort, Samoran, Nakhorn Pathong, Thailand.

It was agreed to take the following steps immediately to implement the joint agreements reached between the LTTE Leader Pirabhakaran and the SLMC Leader Rauff Hakeem at the discussion held on 13th April 2002 at Vanni.

1. Establishment of Village level Tamil-Muslim Joint Committees to identify and resolve the problems faced by the Tamils and Muslims in the North East.
2. The Joint Committee to identify the lands belonging to the Muslims in the North-East unlawfully occupied by the Tamils to enable the take over by the Muslims.
3. The Joint Committee to identify the security problems faced by the Muslims in the North East in order to strengthen Muslim Security.
4. The Joint Committee to identify the administrative difficulties faced by the Muslims in the North Eastern Provincial Council, District Secretariats and the Divisional Secretariats in the North East to eliminate discrimination against the Muslims.
5. The Joint Committee to identify any other issues that would ensure the improvement of confidence building between the two communities.



Rauf Hakeem MP
Leader, Sri Lanka Muslim Congress

Minister of Port Development & Shipping
Minister of Eastern Development & Muslim Religious Affairs

20th November 2002

Mr. M.I.M. Mohideen,
Chairman,
Muslim Rights Organization,
57, Norris Canal Road,
Colombo 10.

Dear Mr. Mohideen

MUSLIM LAND QUESTION IN THE NORTH EAST

A delegation from the Sri Lanka Muslim Congress led by me met the LTTT delegation led by Mr. V. Pirabakaran in Vanni on the 13th of April 2002 and discussed various matters pertaining to the problems faced by the Tamil and Muslim Communities due to the war in the North Eastern province.

Mr. Pirabakaran gave us an assurance that all lands belonging to the Muslims that are now being forcibly occupied by the Tamils will be returned to the Muslim Land owners as soon as possible. This matter was again taken up with Mr. Thamkithyam and Mr. Karuna during the 2nd round of Peace Talks in Thailand during 31st October to 3rd November 2002. They agreed that this matter could be effectively implemented only if we could provide them with details of such lands that are now being occupied by the Tamils.

Since you are a Licensed Surveyor from the area and a person who has a thorough knowledge of the Muslim Land question in the North East, I wish to entrust this task of identifying and preparing an up to date list of lands in question to you.

I shall therefore be grateful if you could please take up this challenging task immediately and submit a comprehensive report at the very earliest.

Thank you,
Sincerely yours,

RAUF HAKEEM MP
LEADER, SRI LANKA MUSLIM CONGRESS and
Minister of Port Development, Shipping,
Eastern Development and Muslim Religious Affairs



Committees to Address Land Issues and Other Areas of Mutual Concern in the Eastern Province

At the Fifth Session of Peace Talks held in Berlin on 7-8 February 2003 the parties agreed to establish three committees, one in each district of the Eastern Province, to address land issues and other areas of mutual concern. The committees will consist of six representatives of the Muslim population and six representatives of the LTTE. The work of the committees will start immediately. Similar committees will be appointed to address such issues relating to other communities as and when required.

11. SINHALIZATION OF THE EASTERN PROVINCE

The plan for the Sinhalization of the Eastern Province has the backing right at the top and involve sections of the Buddhist clergy, Security forces, Politicians, Bureaucrats and Businessmen.

After demerging of the East in October 2006, the Eastern Province administration is ethnically transformed in order to accelerate the Sinhalization programme. 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 and the land commissioner are also 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.

The objectives of their agenda is to make Sinhala people the single largest ethnic group in the Eastern Province. The Master plan envisage, demographic changes through state aided colonisation, tourism development and Buddhist revival in Ampara and Trincomalee Districts and agro-business promotion in the Toppigala areas in Batticaloa District.

Facts and figures about the rapid population growth will help to illustrate how demographic patterns have been unnaturally altered or distorted through state aided colonization, demarcation of new political and administrative units and accelerated irrigation schemes in the Eastern Province.

The Eastern Province is 3,839 sq. miles in extent. Originally Trincomalee 1,016sq. miles and, Batticaloa 2,823 sq. miles were the districts in this province. According to 1921 census, the Sinhalese were 3% of the Population in the Trincomalee District and 4.5% in the combined Batticaloa and Ampara District. The Sinhalese were less than 4% in the whole of Eastern Province.

Details of 1981 population in the Eastern Province.

	Trincomalee District	Batticaloa District	Ampara District	Eastern Province
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%)
Total	245,250	328,170	387,577	970,010

Batticaloa District was divided into the present Ampara District 1,775 sq. miles and Batticaloa District 1,048 sq. miles in 1961.

Population Increase between 1949 and 1981

Tamil population increased from 136,059 to 411,451 - 302%, Muslim population increased from 109,024 to 315,201 - 289%, Sinhalese population increased from 27,556 to 243,358 - 883%. The National average increase of Sinhalese population during this period is only 238%. The sudden increase of Sinhala population in the Eastern Province is the result of Government planned Sinhala Colonization in Gal-oya, Pannal-oya, and Ambalam-oya in Ampara District, and Kanthalai, Allai, Morawewa, Muthalikkulam, Pathaviya (Part), and Mahadiuluwewa schemes in Trincomalee District.

State Aided Sinhala Colonizations

The Land Policies pursued hitherto by successive Governments after the Independence have had their far reaching adverse effects on the minorities.

1. The Minorities have been denied their legitimate share of Developed State Land.
2. Deprivation of Land, more particularly developed land, to landless people in the Districts of Land alienation.
3. Substantial alteration in the Ethnic composition of the Districts in which State Land have been alienated.

This has contributed to the growth of tension and hostilities among different communities resulting in Ethnic Violence. The victims of such violence have always been the Tamils and Muslims.

When Gal Oya Development Scheme was inaugurated the late Hon. D.S. Senanayake stated that at least 50% of the new lands that were to become irrigable under the Gal Oya Development Scheme would be distributed on a 50 - 50 basis between the local citizens of the Batticaloa district and the would be colonists from outside.

However, the opening of the Gal Oya Scheme was a great boon to the Sinhala people and this has been used as a device to deprive the Muslims to live and own lands under this Scheme.

No Lands for the Local Tamils and Muslims

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

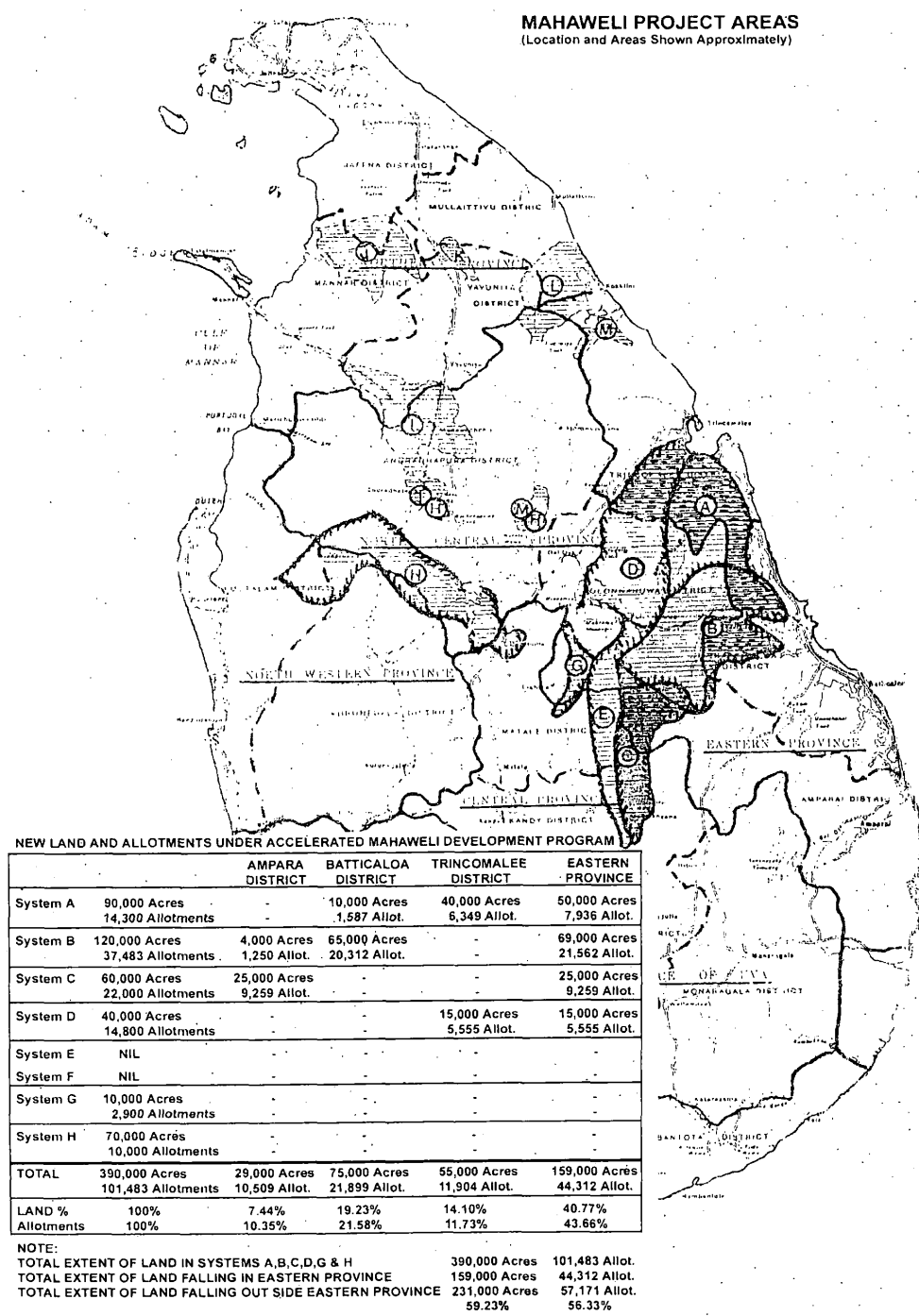
The Political Authority and the District Minister in the then government were very keen to grab the already developed paddy fields of the Muslims and settle Sinhalese relatives brought from the South. These are the politically aided settlements of Sinhalese in

predominant Muslim areas which is over and above the 38 settlements of Sinhalese colonised under the Gal Oya scheme during 1960-63. This had seriously affected the economy and the political strength of the Indigenous Muslim population of Ampara District.

The extent of land available for the 42% Muslims in Ampara District is only 264 sq. miles only 14%, whereas the extent of the land available in the Sinhalese area for the 37% Sinhalese is 1,340 sq. miles in 76%. According to at 1981 census, there is already a short fall of 465 sq. miles of land for the Muslims and an excess of 680 sq. miles for the Sinhalese in the Ampara District.

Accelerated Mahaweli Program

Under the accelerated Mahaweli programme, the land area coming under the Eastern Province is 159,000 acres - 44,312 allotments. More than 100,000 Sinhalese will be settled soon according to the new agenda.



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 censuses, the population of Ampara District - 47% Muslims, 30% Sinhalese, and 23% Tamils. The Ampara Electorate created for the newly settled Sinhalese under the Gál 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, whereas the 70% Tamils and Muslims are left with only 30% of Land area - 525 sq. miles.

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.

In the Sammanthurai Muslim Majority DRO Division, nearly 65 sq. miles of land area covering the Hardy Institute, Ampara Tank and the Town area and Komari were separated and added with the Wewagampattu – Uhana 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.

More than 65% of the people, Tamils and Muslim living in the coastal area of the Ampara District. But the Ampara Kachcheri continues the administration in Sinhala quietly contrarily to the constitutional requirement of the language of administration in Tamil.

Master Plan

There is an integrated development master plan for Trincomalee town and other surrounding areas. One of the proposed projects for Trincomalee under this plan is the special economic zone at Kappalthurai. It will be completed in 2015. There will also be a small and medium industrial zone at Kappalthurai. It will be set up in 2008.

A new administrative secretariat will be established in 2008. A new fisheries harbour is to be constructed by 2010 at Pudavaikattu. A new town development scheme for Andankulam - China Bay is to be built by 2010.

A massive road project linking Uppuvely and Eechilampattu is to be constructed by 2010. This proposed outer circular road will run through Sinhala areas of Seruwila division. This is

an extension of a new road constructed in Trincomalee North. Two tourist resorts will be set up by 2010. They will be in Nilaweli and Verugal.

The other important project is the coal fired power plant to be set up with Indian assistance. Both phases of the project are expected to be completed by 2012. Originally it was earmarked for Kappalthurai but Colombo wanted to set it up later in Sampur. However, New Delhi has stood firm and it is likely to come up in Kappalthurai.

Systematic Planned Encroachments by Sinhalese

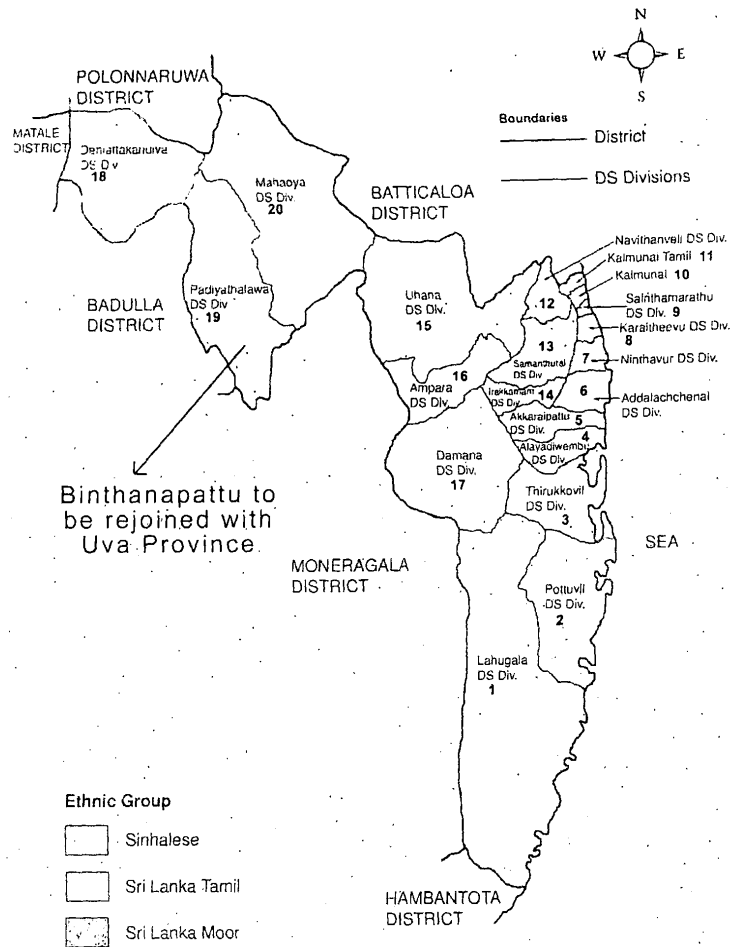
The groundwork is being laid cleverly for future 'Sinhalaisation'. The Road Development Authority has begun constructing an inner ring road and an outer ring road for Trincomalee. The inner ring road links Aathimottai on the Trincomalee-Nilaweli-Pulmottai Road, Kanniya on the A12 (Puttalam-Anuradhapura-Trincomalee Road) and 189km post on A-6 (Kandy-Habarana-Trincomalee Road).

The outer ring road planned will begin at Kuchchaveli on the Trincomalee-Nilaweli-Pulmottai Road, cross A12 near Pankulam and meet A6 between Kantalai and Tamplakamam and proceed to Ilankaiturai-Muhathuvaram and to Sampur.

The construction work is being undertaken by the Sri Lanka Army (SLA). The RDA Chief Engineer in Trincomalee works very closely with the SLA. The planning and designing are done in Colombo. The Provincial Director of the RDA based in Batticaloa is completely in the dark about the two ring road projects.

Arrangements are being made for the Sinhalese 'encroachers' to move in between A-6 and A12 on this ring roads.

12. KALMUNAI ADMINISTRATIVE DISTRICT FOR AMPARA COASTAL AREA



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	1.59	616.87	46.56	7500	90.8	-	-	758	9.2
02	Pottuvil	33625	6.46	367.50	189.56	667	2.0	26493	78.8	6444	19.2
Akkaraipattu											
03	Thirukkivil	24972	4.80	190.65	140.78	27	0.1	-	-	24934	99.8
04	Alayadiwembu	22289	4.28	127.50	125.65	142	0.6	42	0.2	22085	99.1
05	Akkaraipattu	37070	7.12	102.18	208.98	119	0.3	36864	99.4	79	0.2
06	Addalachchenai	39721	7.63	52.50	223.93	1967	5.0	37349	94.0	404	1.0
Ninthavur-Karawahupattu											
07	Ninthavur	25652	4.93	55.62	144.61	9	0.0	24506	95.5	1129	4.4
08	Karaitheevu	16656	3.20	31.25	93.90	23	0.1	6534	39.2	10098	60.6
09	Sainthamaruthu	25147	4.83	66.87	546.97	3	0.0	25144	100.0	-	-
10	Kalmunai	42852	8.23			48	0.1	42689	99.6	115	0.3
11	Kalmunai Tamil	29025	5.58			248	0.9	1957	6.7	26818	92.4
Sammanthuraipattu											
12	Navithanveli	18436	3.54	256.70	490.65	61	0.3	6026	32.7	12349	67.0
13	Sammanthurai	55592	10.68			81	0.1	48566	87.4	6939	12.5
14	Irakkamam	13006	2.50			759	5.8	11948	91.9	296	2.3
Wewagampattu											
15	Uhana	53262	10.23	415.62	300.26	53222	99.9	13	0.0	19	0.0
16	Ampara	39268	7.54	225.00	221.37	38668	98.5	317	0.8	245	0.6
17	Damana	35705	6.86	426.25	201.29	35560	99.6	116	0.3	16	0.0
Total		520537	100.00	2934.51	2934.51	139104	26.7	268564	51.6	112728	21.7

Prior to the establishment of the present Ampara District in 1961, Kalmunai was the center of administration for the areas South of Batticaloa including the present Ampara and Uhana DS Divisions with an Assistant Government Agent as its head. More than two third of the population of the Ampara District live in the coastal area stretching from Periyaneelavanai to Kumana. The Kachcheri and all activities of civil administration operates from Ampara resulting in the aforesaid two thirds of the population who are Tamil speaking having to travel to Ampara in the Sinhalese area to transact all official business.

In addition to the transport difficulties, they also undergo untold communication difficulties as the prime language of Administration of the Ampara Kachcheri is Sinhala.

According to 1971 census the ethnic composition of the Ampara District was 47% Muslims, 30% Sinhalese and 23% Tamils. Although the land eligibility of the Sinhalese is only 675 sq. miles the new electorate carved out in 1976 for the Sinhalese colonized under Gal Oya scheme is about 850 sq. miles. The land in the present Sinhalese areas amounts to 1,330 sq. miles which is 76% of the total land area of the present Ampara District which is 1,775 sq. miles. The 62% indigenous people - the Muslims and the Tamils are left with only 24% of land - 425 sq. miles.

In the old DRO system, Muslims were the majority in Panamapattu, Akkaraipattu, Ninthavur - Karawavupattu and Sammanthuraipattu while the Sinhalese were the majority in Wewagampattu and Binthannepattu in Ampara District. After the independence, when re-demarcating the Administrative areas as AGA Divisions, the land areas of the Muslims and Tamils were restricted to residential pockets only. Most of the land for agriculture, cattle-farming, inland fishing, etc. were first taken out and attached with the residential areas of the Sinhalese, and the Sinhalese majority AGA Divisions were created. Thereafter maps were prepared to establish these areas as being within Sinhala Divisions.

The present Lahugala Sinhalese majority AGA division was part of the former Muslim majority Panamapattu DRO's Division. In 1981, the population of the new Sinhalese majority Lahugala AGA Division was 6,252 and the land area is 380 sq. miles, whereas the population of the Muslim majority Pottuvil AGA Division in the balance area was 20,152 and the land area is only 116 sq. miles.

The original Sammanthuraipattu DRO's Division included Kondavettuwan beyond Hardy Institute, Ampara Kulam and the entire Ampara U C area. The present Muslim majority Sammanthurai AGA Division is left with only 99 sq. miles. Nearly 65 sq. miles have been taken away from the Muslim Majority DRO's Division and attached with the Sinhalese majority Wawegampattu Uhana AGA Division extent 260 sq. miles.

There is wide disparity in the proportion of land holdings between the Muslims and Sinhalese in the Ampara District. For e.g. the extent of the land held by the Sinhalese in the Lahugala AGA Division is 208 times more than the land held by the Muslims in the Kalmunai AGA Division. The average land holding per person in the Sinhalese majority

area is 13 times more than the average land holding per person in the Muslim majority areas.

It is pertinent at this juncture to note that with the enactment of the administrative district Act No. 22 of 1955, the 20 administrative Districts listed below were created and each of those districts were brought under a government Agent.

“Colombo, Kaluthara, Kandy, Matale, Nuwara Eliya, Galle, Matara, Hambantota, Jaffna, Mannar, Vavuniya, Batticaloa, Trincomalee, Kurunegala, Puttalam, Anuradhapura, Polonnaruwa, Badulla, Ratnapura and Kegalle.”

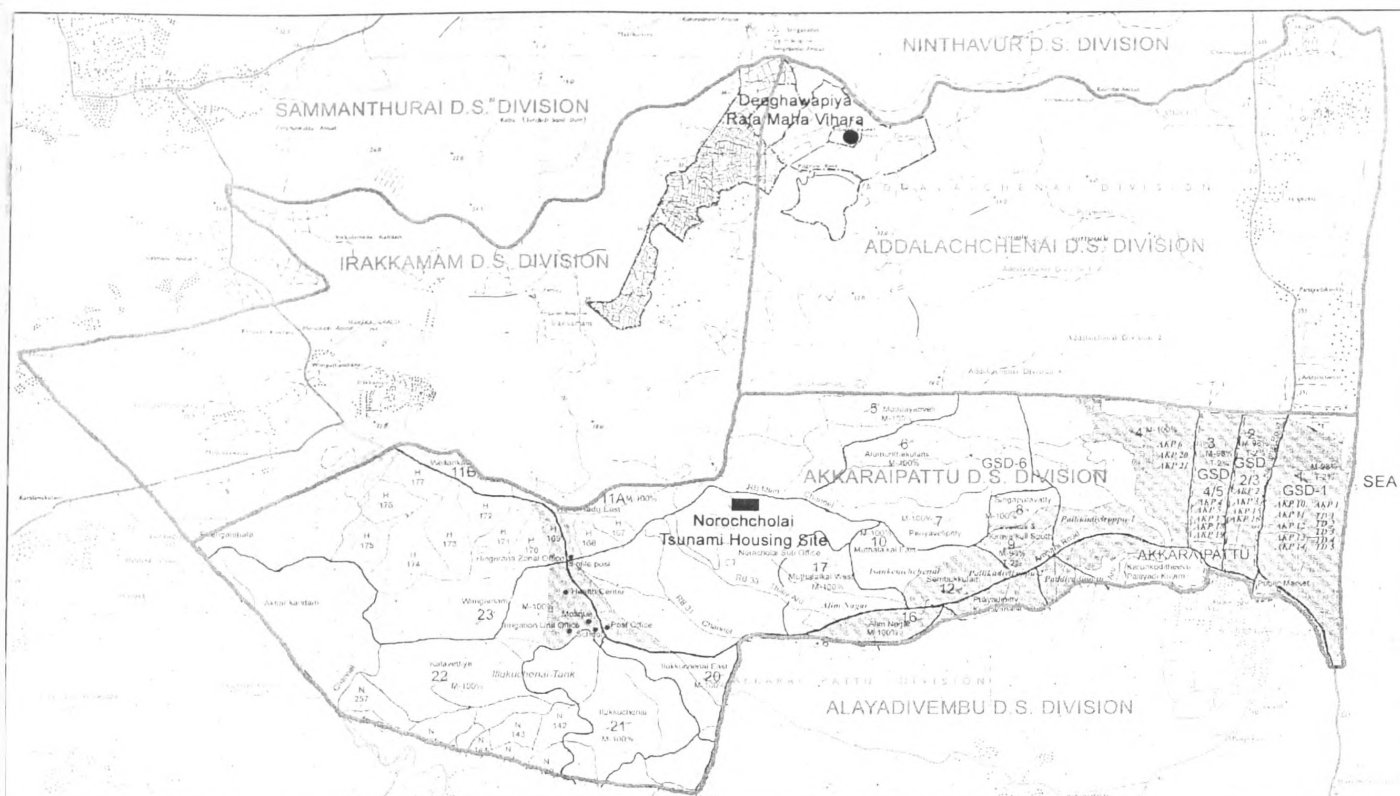
During the past few decades Monaragala (1959), Ampara (1961), Gampaha (1978), Mullaithivu (1979), and Kilinochchi (1984) have been added to the above list by re-demarcating the district boundaries.

It is thus clear that precedent does exist to re-demarcate district boundaries and create new administrative districts. Such actions would go a long way to correct the great injustice caused by the arbitrary carving out of the land areas at various times since independence.

Under these circumstances we urge the Government, to consider the following which would result in the resolution of the grievances caused to the Tamil speaking peoples of Ampara coastal area.

1. Create a separate administrative district in the coastal area of present Ampara District comprising the former DRO's Divisions of Panamapattu, Akkaraipattu, Karavahu – Ninthavurpattu, Sammanthuraipattu and Wewagampattu, covering the Kalmunai, Sammanthurai, Pottuvil electorates and Wewagampattu North DRO's Division. This new district will cover a land area of 2,934.51 sq. km. and population – 518,537, Muslims 268,564 – 51.7%, Tamils 112,729 – 21.6%, Sinhalese 139,104 – 26.7%.
2. In order to ensure fair distribution of land and natural resources, re-demarcate the areas of the Divisional Secretariats including the land and natural resources according to ethnic proportions of the different communities within each area.
3. Declare each of the newly carved out DS Area as a Pradeshiya Sabha for the purpose of Local Government.

13. TSUNAMI HOUSING PROJECT IN NOROCHCHOLAI, AKKARAIPATTU



It is widely criticized that the government has not treated the Muslim Tsunami victims fairly. According to the Task Force to Rebuild the Nation (TAFREN), total donor commitments amounted to Rs. 178 billion (\$1.78 billion), almost the total direct cost of rehabilitation and reconstruction of tsunami damages estimated at Rs. 180 billion (US\$1.8 billion).

Muslim concerns were not given due publicity in the media. It is widely criticized that the government has not treated the 'Tsunami' affected people equally. 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.

The situation in the South is different. In Hambantota, the need is only 1057 houses. But the donors have been allocated, 4852 houses. A recent internal memo circulated among the donor agencies said that the number of houses donors have been assigned was 11 times more than what was required within Hambantota.

1. Houses to resettle the displaced Tsunami victims were 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 owned by Hingurana Sugar Industries Ltd., which was unsuitable for sugar cultivation and abandoned for more than 30 years, was allocated to Sri Lanka Red Cross society by TAFREN to construct 500 houses for the resettlement of Muslim families displaced by the Tsunami in Akkaraipattu D.S. Division, Ampara District.
2. Funds for the construction of this 500 houses and the necessary infra-structure was donated by Saudi Arabia.
3. The housing site at Norachcholai in Akkaraipattu D.S. Division is about 5 km down south of Deegawapi Maha Chaitiya in Addalachchenai D.S. Division.
4. Population, displaced families, housing units damaged and the housing units handed over to the displaced Tsunami victims in Ampara District.

D.S. Division	Population				Displaced Families	Houses Damaged	Houses Handed Over
	Total	Sinhalese	Tamils	Muslims			
Kalmunai (Tamils)	29,025 100%	248 0.9%	26,242 90.4%	1,957 6.7%	3,061	3,259	384
Kalmunai (Muslims)	42,852 100%	48 0.1%	115 0.3%	42,689 99%	2,647	3,766	270
Sainthamaruthu	25,147 100%	3 0%	- -	25,144 100%	1,448	2,381	0
Karathivu	16,656 100%	23 0%	10,034 60.2%	6,534 39.2%	1,209	1,756	141
Nintavur	25,652 100%	9 0%	1,129 44%	24,506 95.5%	771	1,510	100
Addalaichenai	39,721 100%	1,967 50%	404 1.0%	37,349 94.0%	632	568	92
Akkaraipattu	37,070 100%	119 0.3%	80 0.2%	36,864 99.4%	444	875	0
Alayadiwembu	22,289 100%	142 0.6%	22,008 98.7%	42 0.2%	1,097	290	312
Thirukkivil	24,972 100%	27 0.1%	24,944 99.3%	- -	3,724	2,431	458
Pottuvil	33,625 100%	667 0.2%	6,448 19.2%	26,493 78.8%	1,902	1,796	653
Lahugala	8,259 100%	7,500 90.8%	758 9.2%	- -	110	51	91
Total	305,268 100%	10,753 3.52%	98,888 32.39%	201,578 66.03%	17,045	18,683	2,517

Source: Department of Census and Statistics –Special Enumeration – 2007 and Additional G.A. Ampara

5. According to the Department of Census and Statistics, there is no Sinhalese or Tamil Tsunami victims in Akkaraipattu D.S. Division.

6. Up to June 2008, 91 houses have already been handed over to the Sinhalese in Lahugala D.S. Division, because there were no Tamils or Muslim Tsunami victims. 1,295 houses have been handed over to the Tamil Tsunami victims in Kalmunai, Karathevu, Alayativembu and Thirukkivil D.S. Divisions because there were no Muslims or Sinhalese Tsunami victims. Similarly 1,115 houses have been handed over to the Muslims in Kalmunai, Ninthavur, Addalaichenai and Pottuvil D.S. Divisions because there were no Tamils or Sinhalese Tsunami victims. There is no discrimination against Sinhala, Tamil or Muslim residents of the area in the allocation of houses for the resettlement of displaced Tsunami victims.
7. Appointment of Land Kachchery for the allocation of houses constructed for the Tsunami victims of Akkaraipattu to the Sinhalese who were not the Tsunami victims in Akkaraipattu by the Supreme Court judgment has created much concerns among the Muslims of Akkaraipattu and the doner – Kingdom of Saudi Arabia.

14. DEVOLUTION OF POWER

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 13th 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 more than twenty four 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 13th 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 13th 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 13th 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 1983 to March 1990 with regard to the implementation of the powers devolved by the 13th 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 President Premadasa Government for the fulfillment of 19 demands of his party, EPRLF. The reason was that the Provisions of the 13th 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 13th 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 9th 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 13th 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 13th 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 should 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 should 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 13th Amendment to the Constitution, the Police Commissions Act No. 1 of 1990 and the 17th Amendment to the Constitution.

The 13th Amendment devolves the subject of Law and Order on the Provinces. The composition of the National Police Commission is provided for in the 17th Amendment while the 13th 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 13th 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 13th Amendment.

15. DEVOLUTION OF POWER FOR THE MUSLIMS

Duplicity in the Devolution Process and North East Ethnic Conflict

In the Bandaranaike – Chelvanayakam pact of 1957. Hon. S.W.R.D. Bandaranaike proposed Provincial Councils – one for the Northern Province, and the Eastern Province to have two or more. Two or more Councils could also amalgamate even beyond Provincial boundaries.

The Democratic people's Alliance (DPA) in its manifesto for the Presidential Election in 1988 – Part II – The Resolution of Ethnic Problem – Unit of Devolution (a) the concept of devolution is accepted for Sri Lanka. (b) There shall be a predominant Tamil unit comprising of what are the combined Northern and Eastern provinces but excluding the areas covered by the predominant Muslim unit. (c) There shall be a predominant Muslim unit comprising the predominant Muslim electorates of Kalmunai, Pottuvil and Sammanthurai in the Ampara District as the base and identified predominantly Muslim areas in the Batticaloa and Trincomalee Districts. (d) the rights of Sinhalese and all other persons in each unit shall be on the basis of absolute equality.

In the Mangala Moonesinghe Parliament Select Committee of 11th December 1992, members representing the United National Party, Sri Lanka Freedom Party, Sri Lanka Muslim Congress, the Communist Party, Lanka Sama Samaja Party as well as the independent members Mr. K. Srinivasan, Member for Jaffna District and Mr. Basheer Segudawood, Member of Batticaloa District reached agreement: (a) on the establishment of two separate units of administration for the Northern and the Eastern provinces. (b) to adopt a scheme of devolution on lines similar to those provided in the Indian Constitution and (c) to devolve more subjects that are in List III (Concurrent List) or to dispense with the List.

Although the Government of India guaranteed and cooperated in many ways with the Government of Sri Lanka, none of the proposals of the Indo-Sri Lanka Accord of July 29, 1987, was implemented because of the unsettled situation still prevailing in the Northern and Eastern provinces. Cessation of hostilities did not come into effect. Arms and ammunitions were not surrendered by the Tamil Militants. The IPKF was unable to enforce the cessation of hostilities and ensure physical security and safety of all communities inhabiting the Eastern and Northern Provinces. The Provincial Council established for the temporarily merged North-East province had been dissolved. In short the Indo-Sri Lanka Accord is a total failure.

The geographical merger of the Northern and Eastern provinces to form a single region with adequate powers over the land have been the main demands of the LTTE. They hold the

view that the Tamil Speaking area is one and indivisible and that the geographical contiguity and territorial unity of the Tamil Speaking area should be given unconditional recognition for any meaningful solution to the Tamil problem.

The expression "Tamil Speaking People" refers not to one community but to the Jaffna Tamils, Batticaloa Tamils, Sri Lanka Muslims and Indian Tamils. The expression "Tamil Speaking area" refers to the geographical area covering the Northern and Eastern provinces. Eastern province is the area of historical habitation of Batticaloa Tamils and Muslims. Traditionally the Jaffna Tamils and the Indian Tamils never lived in the Eastern province and it is not their homeland.

Mr. K.W. Devanayagam, former Minister of Home affairs and one time the Minister of Justice who had been a member of parliament from the Eastern province for a very long time had stated that the Tamils of Batticaloa regard themselves as a distinct group of people different from the Tamils of Jaffna and that they followed a different system of law. He has said that there is proof that the Tamils of Batticaloa are a different community and hence there was no question of a homeland for the Tamils of the North in the Eastern province. This view had been supported by former members of parliament Mr. C. Rajathurai, Mr. Thangathurai, Mr. Prince Cassinathar, Mr. Thivyanathan and many others.

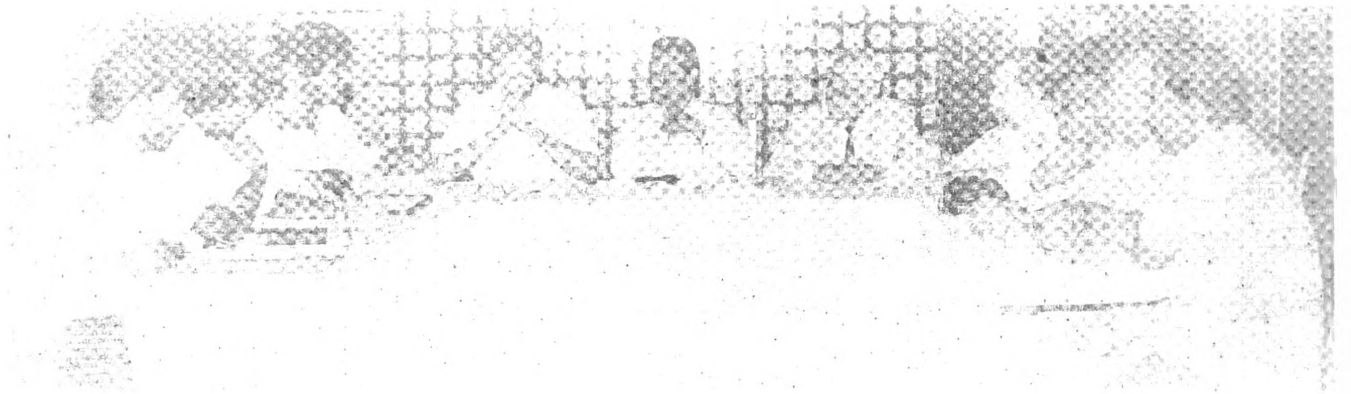
The Northern and Eastern provinces extend from Point Pedro to Kumana and covers approximately one third of the land area and two-third of the sea coast of Sri Lanka.

The Northern province comprises 3,429 sq. miles and the population according to 1981 census is 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, Mullaithievu, 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.

The Eastern province has a land area of 3,839 sq. miles and the population according to 1981 census is 993,435 – Tamils 42% Muslims 33%, and Sinhalese 24%. Tamils are the majority only in the Batticaloa district which has a land area of 1,016 sq. miles – Tamils 73%, Muslims 24% and Sinhalese 3%. Tamils are the minorities in the rest of the Eastern province – both Trincomalee and Ampara districts – land area 2,823 sq. miles, 72% of the land area of the Eastern province Tamils 26%, Muslims 37% and Sinhalese 37%. In the

Eastern province the Tamil and Sinhalese village are as noncontiguous as the Muslim villages. Today the Muslims are 41% and the first majority community in the Eastern Province.

However, it is because of our desire that the Tamils and Muslims should live in amity in the North and East as in the past, a Muslim delegation visited Madras on two occasions, in September 1987 and April 1988 and had wide ranging discussions with the Tamil moderates as well as the militant groups for peaceful coexistence in the North East.



After the Indo-Sri Lanka Agreement in July 1987 and the 13th Amendment to the constitution, the Sri Lanka Muslim Congress took one step further by contesting the election in the Eastern province and helped the formation of the Provincial Council for the temporarily merged North-East province.

In September 1990, it was agreed between the Tamil parties and the Muslim parties that there shall be one provincial council and two ethnic councils of devolution with equal powers. It was categorically decided that the Muslim majority council should in no way be inferior to the Tamil majority council. It was also agreed that the Provincial Council should be a bicameral legislature with the second chamber having balanced representation for the minorities in the region.

But the Tamil parties have now taken up the position of not agreeing to create a separate unit of devolution for the Muslims in the Northern and Eastern provinces. They have also taken up the position that the 18% Muslims of the Northern and Eastern province should be contented with the constitutional safeguards only. If that is so, we cannot understand as to why the 10% Sri Lankan Tamils cannot be satisfied with similar constitutional safeguards only, without demanding any share of political power through the devolution process.

From the recent experience the Muslims have realized that there is a well planned conspiracy by the Tamils to chase the Muslims away and make the Northern and Eastern

provinces a mono ethnic Tamil region in order to create one day the Tamil Ealam. 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 has therefore become an absolute necessity for the Muslims in the Northern and the Eastern provinces to take independent safeguards to protect our lives and properties.

Muslims have not resorted to terrorism or asked for the division of the country for the settlement of our grievances. If there is one community in Sri Lanka that could legitimately complain of being discriminated by the State in the field of education, employment, land alienation, colonization and subjected to cold blooded murder, arson, and looting by the Tamil Militants in our areas of historical habitation in the North & East, it could be the Muslim Community.

Sri Lanka Government refused to listen to the grievances of the minorities. The Tamils went to the Tamil Nadu State in India and the Western Countries with their grievances. We have many Muslims and Arab countries around us to listen to our grievances also. But Muslims have not yet gone to these countries in order to obtain military training and financial help to protect our lives and legitimate rights.

It is for the first time in the history of Sri Lanka that steps are being taken to share power with the minorities. Therefore, we the Muslims do not wish to be ignored and our legitimate rights are denied just because we do not have armed terrorist and fought for the separation of Sri Lanka.

If the unit of devolution of power is Province, a fair and just arrangement would be to establish 7 Provinces for the 74% Sinhalese, 1 Province for the 12% Sri Lanka Tamils, 1 Province for the 8 % Muslims and 1 Province for 6% Tamils of Indian Origin.

The Northern and the Eastern Provinces are the areas of historical habitation of the Sri Lanka Tamils and Sri Lanka Muslims. The expression "Tamil Speaking Peoples refers not to one ethnic group but in fact to three ethnic groups, namely the Sri Lanka Tamils, Sri Lanka Muslims, and the Indian Tamils. The expression areas of historical habitation of the Tamil Speaking Peoples refers to a geographical area covering the present Northern and Eastern provinces. Indian Tamils never lived here historically and therefore it cannot be their areas of historical habitation. Eastern and Northern provinces are as much the areas of historical habitation of the Sri Lanka Muslims as that of the Sri Lanka Tamils.

To-day Muslims are the number one majority - 41% in the Eastern Province and we are politically diluted to 20% by merging with the Northern Province. When deciding on minority representation to the House of Representatives – the Parliament, from the Eastern Province, the Delimitation Commission of 1976, had demarcated five (5) electorates for the Tamils and five (5) electorates for the Muslims. Even in the last Provincial Council Election held on 19 November 1988 Muslims and Tamils elected equal representative 17 members each from the Eastern Province. In the parliamentary election of December 2001, 8 Muslims and 5 Tamils were elected.

MUSLIMS ARE POLITICALLY STRONG, ECONOMICALLY AND EDUCATIONALLY BETTER THAN THE TAMILS IN THE EASTERN PROVINCE. THE MERGER OF EAST WITH THE NORTH IS AGAINST THE POLITICAL, ECONOMICAL AND EDUCATIONAL INTEREST OF THE MUSLIMS. LIKE THE TAMILS, THE MUSLIMS ALSO WANT A SEPARATE COUNCIL COMPRISING THE AREAS OF HISTORICAL HABITATION OF THE MUSLIMS IN THE NORTHERN AND EASTERN PROVINCES TO SHARE POWER.

Provincial Council Act No.42 of 1987 prevents the Presidential Proclamation of the merger till the surrendering of arms and cessation of hostilities by the Militants. But the former President Jayawardena, used his special powers as Executive President, proclaimed the temporary merger of the Eastern province with the Northern Province and made the Muslims of the Eastern Provinces a community of political and social slaves under the Tamils.

Mr. G.G. Ponnambalam demanded fifty-fifty and balance representation because he did not want the 18% Tamils to remain a permanent minority under the 74% Sinhalese. On the same basis, we the 20% Muslims do not wish to remain a permanent minority under the 70% Tamils in the merged North-East Province.

The Muslims in the Sinhalese areas are supposed to be living peacefully among the Sinhalese by supporting the aspirations of the Sinhalese. Similarly, the Muslims in the Tamil speaking areas can also live peacefully by supporting the aspirations of the Tamils. As we all know the aspiration of the Tamils in the Northern and Eastern Provinces is to establish the Tamil Eelam or a single council merging the two provinces. Muslims supporting the Tamils at this crucial time would work wonders to achieve what the Tamils want. The moment the Muslims in the Tamil speaking area join the Tamils, the Sinhalese and Muslims living in the Sinhalese areas would make the biggest noise complaining that we have cut their throats.

On the other hand, with the help of the Colombo based Muslim leaders, Muslim Ministers, and Muslim M.P.P of the Eastern Province, if the Sinhalese succeed in dividing the Muslims from the Tamils in the Eastern province and form a coalition with Muslims and Sinhalese, the Tamils will naturally consider the Muslims speaking a common language - Tamil and living among them are a cut-throat community and a hindrance to them to share power devolved on the Eastern Province – Provincial Council, on account of the great sacrifice the Tamil community had made for the last 50 years. Tamils are not so foolish to ignore this eventualities and that is why the Tamils are opposing a single Provincial Council for the Eastern Province and strongly insisting for the merged North-East Provincial Council.

As much as we do not wish to be a hindrance to the Tamils, we do not wish to let down the Sinhalese at the crucial time. That is why the Eastern Province Muslims do not support a single Provincial Council for the Eastern Province and have put forward the proposal for A SEPARATE MUSLIM PROVINCIAL COUNCIL COMPRISING THE PREDOMINANT MUSLIM AREAS IN THE NORTH AND EAST, SO THAT WE COULD DECIDE WHAT IS GOOD OR BAD FOR US WITHOUT HURTING THE SINHALESE OR TAMILS.

NORTHERN AND EASTERN PROVINCES ARE THE AREAS OF HISTORICAL HABITATION OF THE TAMILS AND MUSLIMS. MUSLIMS BEING AN INDEPENDENT ETHNIC COMMUNITY, SHOULD HAVE EQUAL OPPORTUNITY LIKE THE TAMILS TO SHARE POWER. A SEPARATE POWER SHARING COUNCIL IN OUR AREAS OF HISTORICAL HABITATION IS OUR LEGITIMATE RIGHT.

Devolution

What we have today in Sri Lanka is ethnic grievances and not a Tamil problem. Grievances are not confined to one community nor to the followers of one religion. The Sinhalese, Tamils and Muslims have grievances. Various political solutions have been attempted for the settlement of ethnic grievances. The Bandaranayake Chelvanayakam Pact, the Dudley Senanayake – Chelvanayakam pact and Annexure " C " are the well-known solutions that have been seriously proposed for implementation. The common feature in all these proposals is the substantial devolution of power. All leading personalities in Sri Lanka at one time or other, have accepted the principal of devolution of power to settle ethnic grievances.

As a compromise between the highly centralized unitary system and a separate State, powers should be properly shared by all ethnic groups-Sinhalese, Tamils and Muslims. Patchwork and halfway measures will only make settlement difficult. There should be genuine sharing of power and the division of powers between the Center and the peripheral units should be incorporated in the Constitution which would ensure the unity, integrity and

sovereignty of the country. The powers transferred should enable the ethnic minorities, Tamils and Muslims assume responsibilities and participate fully in decision-making process in those areas where they are a majority.

Muslims not Opposed to Tamil Aspirations

The Tamil moderates and the armed Eelam fighters have said that if they are not given a viable alternative for a separate state, they would continue their struggle till they finally achieve what they want. What they have in mind we believe, as a viable alternative, is a single council merging the Northern and Eastern provinces.

The Merger of Northern and the Eastern Province was refused on the ground that the Muslims in the East are opposing to it. The Muslims oppose the merger mainly because we would become an insignificant minority under the Tamils. But we are not opposed to the merger of the Tamil areas leaving the Muslim majority areas in the North-East for a separate Muslims majority Provincial Council.

Muslim Majority Provincial or Regional Council

Since Muslims are a recognized major Ethnic group in Sri Lanka, it is our legitimate right to have a separate Province or Region where the Muslims will be of sufficient majority to form a council and to share powers like the other two major Ethnic Communities – Sinhalese & Tamils.

The proposed Provincial or Regional Council for Muslims can be in the Eastern Province. The area of authority of this council would include the former DRO's Divisions of Panamapattu, Akkaraipattu, Ninthavur & Karavahupattu and Sammanthuraipattu together with Wewagampattu South. Extent approximately 1,276 Sq. Miles in the present Amparai District as the base and the non – contiguous Muslim areas of Katankudi, Eravur, Valaichenai, Ottamavadi in the Batticaloa District, and Mutur, Kinniya, Thampalagamam and Kuchaveli in the Trincomalee District, Total 2,036 Sq. Miles or 5,280 Sq. Km. In the event of a merger of the Tamil areas of the Eastern Province with the Northern Province and if the Muslims in Musali and Erikalampiti in Mannar District agree, they also can form part of the Provincial or Regional Council for Muslims. These Muslim majority areas which are non-contiguous should be first made community oriented Pradesheeya Sabhas and considered as parts of the Muslim Provincial or Regional Council. This would incorporate a little more than 85% or 525,000 Muslim of the total Muslims Population of 620,000 in the North-East. There will be about 90,000 Tamils and 45,000 Sinhalese also in the Council. Muslims will be more than 69% in the proposed Muslim Majority

Council. Total population 765,000 and land area approximately 2314 Sq. Miles or 6,000 Sq. Km.

The Problem of administrating the non-contiguous areas is not as impossible as it is made out to be. For example the former French possession in India-Pondicherry, parts of it fall in three different states Kerala, Tamil Nadu and Andhra Pradesh where three different languages are spoken and administrated as a separate Union State. Whereas in Sri Lanka all the Muslims in the North East speak Tamil and their grievances with regard to land, language, economy and employment are same. What we are asking here is a Provincial Council on the administrative pattern of non-contiguous Union State in India.

Pondicherry a Non Contiguous State in India

Area : 492 Sq. Km

Population : 807,785

Capital : Pondicherry

Principal Languages : Tamil, Telugu, Malayalam, English
and French

Areas, Population and Headquarters of Districts

S. No.	District	Area (Sq. Km)	Population	Headquarters
1	Pondicherry	293	608338	Pondicherry
2	Karaikal	160	145703	Karaikal
3	Mahe	9	33447	Mahe
4	Yanam	30	20297	Yanam

History and Geography

The territory of Pondicherry comprises the former French establishment of Pondicherry, Karaikal, Mahe and Yanam which lie scattered in South India. Pondicherry, Karaikal, Mahe and Yanam which lie scattered in South India. Pondicherry, the capital of the territory was once the original headquarters of the French in India.

It is bounded on the east by the Bay of Bengal and on the other three sides by the South Arcot district of Tamil Nadu. About 150Km south of Pondicherry on the east coast lies Karaikal. Mahe is situated on the Malabar coast on the western ghats surrounded by Kerala. It can be reached from Calicut Airport which is 70 km from Mahe. Yanam is situated adjoining the East Godavari district of Andhra Pradesh and is about 200 km from Vishakapatnam Airport.

Historical Admission of the Need for Muslims to Share Power

1. Resolution at Federal Party Convention in 1959.
Separate Power Sharing Unit for Muslims in the Tamil Region.
2. Bandaranaike – Chelvanayam Pack.
Eastern Province to have two or more councils.
3. Tamil United Liberation Front - TULF Parliamentary Election Manifesto 1997.
Identification of the traditional Muslim homeland in the proposed Tamil Elam and the recognition of the inalienable right to self determination of the Muslims.
4. Discussions between the leaders of the Tamil United Liberation Front and the Council of Muslims of Dr. Badi-ud-din Mahmud in 1987.
Separate arrangements for sharing of powers with Tamils in the merged North-East Region.
5. Discussions between the LTTE and MULF in 1988.
Separate arrangements for sharing of powers with Tamils in the merged North-East Region.
6. Discussions between the All Ceylon Tamil Congress and Sri Lanka Muslim Congress.
Non-contiguous Power Sharing Unit for Muslims in North-East region.
7. DPA Presidential Election Manifesto 1988.
Non-contiguous Muslim majority power sharing unit in the merged North-East region.
8. PA Government's proposal for constitutional Reforms - October 1997 Establishment of South Eastern Regional Council comprising the polling Division of Kalmunai, Samanthurai and Pothuvil.

Autonomy and Self Determination

Muslims are a distinct ethnic community with a different culture and religion. About a century ago, Sri Ponnampalam Ramanathan started the Propaganda that the Sri Lanka Muslims are also Tamils, in order to prevent a separate Muslim representation in the Legislative Council for the Muslims and for him to be the sole representative of the Tamil Speaking peoples the Tamils and Muslims. Muslim objected vehemently to a Tamil representing Muslim interest and the then government nominated Mr. M.C. Abdur-rahman to represent the Muslims.

Sri Lanka Tamils and Sri Lanka Muslims are the Tamil Speaking Peoples traditionally living in the Northern and Eastern provinces.

Tamils and Muslims have separate identified areas of historical habitation in the Northern and Eastern provinces and the Muslim areas of historical habitation should be protected from further colonization by the Tamils and Sinhalese.

Muslims should not be continuously terrorized by the Tamil Militants in the areas of historical habitation of the Muslims in the Northern and Eastern provinces.

Law and Order in the Muslim areas of historical habitation should be in the hands of the Muslims to ensure safety and security for the Muslims in the Northern and Eastern provinces.

It is the legitimate right of the Muslims to have a separate power sharing unit comprising the areas of historical habitation of the Muslims to share power like the Tamils in the Northern and Eastern 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.

The former president Jayawardana circumvented the laws passed by his own Government in the Provincial Council Act and effected the temporary merger under the emergency regulation and made the Muslims of the Eastern province a community of political and social slaves under the Tamils.

Muslims are conscious of the serious problems that are likely to arise when the Northern and Eastern province are merged to form a single regional council. After the formation of the Provincial Council in the temporarily merged North East, the Tamil National Army of the EPRLF, TELO and ENDLF attacked several police stations in the predominant Muslim areas in the Eastern province and murdered hundreds of Muslims in cold blood.

LTTE shot the Muslims in the back while praying in the mosque, burned our mosques, schools, paddy fields and committed robbery of our cattles. Finally they gave just two days for the Muslims who have been living for centuries to vacate our homes and leave the Northern province, Continuous outrages by the Tamil militants against the unarmed Muslim civilian population have made thousands leave their traditional homes in the North and East.

From the recent experience the Muslims have realized that there is a well planned conspiracy by the Tamils to chase the Muslims away and make the Northern and Eastern province a mono ethnic Tamil region in order to create one day the Tamil Elam. Although patronising 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 become an absolute necessity for the Muslims in the Northern and Eastern provinces to take independence safeguards to protect our lives and properties.

Therefore, any meaningful solution to the North-East Conflict should be based on the following four cardinal principals:

- (i) Recognition of the Muslims of Sri Lanka as a distinct nationality.
- (ii) Recognition of the identified Muslim areas of historical habitation and the guarantee of its territorial integrity.
- (iii) Recognition of the right of the Muslims for a separate power sharing unit.
- (iv) Based on the above, recognition of the inalienable right of self determination of the Muslim Nation.

From Where the Indo-Sri Lanka Accord left us

1. Indo-Sri Lanka Accord failed to recognize the North East area as a heterogeneous one.
 - The fundamental mistake was to treat the Northern and the Eastern provinces as areas of historical habitation of the “Tamil speaking peoples”.
 - The fact that the Muslims though they speak Tamil language have been treated politically and ethnically as a separate and distinct community was not taken into account.
 - The Northern and the Eastern provinces should have been recognized as areas of historical habitation of Tamils and the Muslims instead of the general description “Tamil speaking peoples”.
2. Although the Accord mentions that the amalgamation was only for an interim period of one year the proposed Referendum never took place although for nearly 20 years have passed.
 - At the discussions between the Tamil parties and the Muslim parties – the Tamil parties have always taken up the position that although the Referendum was provided for in the Accord it was never intended to be held or implemented.
 - Muslims do not accept this position and vehemently object a Kashmir situation in the Eastern Province.
 - Any future settlement should avoid vagueness, uncertainties and contingencies.
3. Although Article 2:16 of the accord states that the Governments of India and Sri Lanka will co-operate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern provinces the Muslim Community was subjected to untold harassment, genocide and ethnic cleansing. Both Governments could not help us when we were at the receiving end at the hands of the Tamil militants.

4. Although the Indo - Sri Lanka Accord was signed subject to the acceptance of the proposals negotiated from 4-5-1986 to 19-12-1986 – the agreement between President J R Jayawardene and the Indian Prime Minister Rajiv Gandhi to the effect that the Muslim M.P.'s of the Eastern Province may be invited to visit India and to discuss matters of mutual concern with the Tamil side under the auspices of the Government of India was never implemented.
 - The political future of the Muslims is one of the residual matters that should have been sorted out within a period of six weeks of signing the Indo-Sri Lanka Accord(Article 2:15).
 - However, we and our destinies were deserted soon after the accord was signed.
5. Indo-Lanka Accord failed to take into consideration the fact that the Muslim community became the sole victim as a result of the amalgamation of the two provinces.
 - The only province where the Muslims are in the majority and living in substantial numbers is the Eastern province. The amalgamation renders them insecure and politically insignificant.
6. Creation of a Muslim Majority Provincial Council on the administrative pattern of the non-contiguous Union State in India - Pondichery is the answer to the fears of the Muslims of the North-East in so far as the following areas are concerned.
 - Law and order and security to our lives and properties.
 - Protection of our private lands.
 - Protection of the state lands already occupied by the Muslims.
 - Protection of our share in the future alienation of State lands.
 - Employment opportunities.
 - The future of the Muslims of North driven away during the ethnic cleansing by the LTTE.
 - The protection of the private properties forcibly occupied
 - by the LTTE and compensations for their losses.
 - Security for our religion and culture.
 - A voice for the Muslim Community in the proposed Chief Ministers Conference and the "Land and Water use Council".

Proposal for the Muslim Majority Provincial or Regional Council in the North-East.

- 1. A separate Muslim majority administrative district should be created in the present Ampara District comprising the former four DRO's Divisions of Panamapattu, Akkaraipattu, Sammanthuraipattu, Karvahu/ Ninthavurpattu and the AGA Division of Wewegampattu South. 1,276 Sq. Miles - 3,310 Sq. km.**
- 2. Creation of ethnic oriented Pradeshiya Sabhas/AGA Divisions including the Agricultural Lands and Natural resources in proportion to the population of each community in the new Muslim majority administrative district mentioned above.**
- 3. Creation of Muslim majority Pradeshiya Sabhas in Kathankudi, Eravur, Ottamawadi/Valaichenai, comprising the Agricultural Lands and Natural Resources in proportion to the Muslim population of 24% in Batticaloa District. 346 Sq. Miles - 896 Sq. km.**
- 4. Creation of Muslim majority Pradeshiya Sabhas/AGA Divisions in Trincomalee Muthur, Kinniya, Thopur, Tampalakamam and Kuchchaveli comprising the areas of Agricultural Lands and Natural Resources in proportion to the Muslim population of 29% in the Trincomalee District. 414 Sq. Miles - 1,072 Sq. km.**
- 5. Creation of Muslim majority Pradeshiya Sabhas/AGA Division in Erikalampitti and Musali comprising the areas of the Traditional Homeland, Agricultural Lands and Natural Resources in proportion to the Muslim population of 27% in Mannar District. 278 sq Miles - 720 Sq. km.**
- 6. Municipal Council should be created in Kalmunai, Urban Councils should be created in Kattankudi and Kinniya without reducing the Muslim majority in the balance area of the Pradeshiya Sabhas.**
- 7. Separate Muslim majority administrative districts should be created linking the Muslim majority Pradeshiya Sabhas/AGA Divisions in the Batticaloa, Trincomalee and Mannar Districts.**
- 8. All Muslim administrative districts created in the North-East should be considered separate Electoral Districts.**
- 9. Land area in the proposed Muslim Majority Provincial or Regional Council would be approximately 2,314 Sq. Miles - 6,000 Sq. km and population 525,000.**

MAP SHOWING AREAS FOR MUSLIM MAJORITY POWER SHARING UNIT

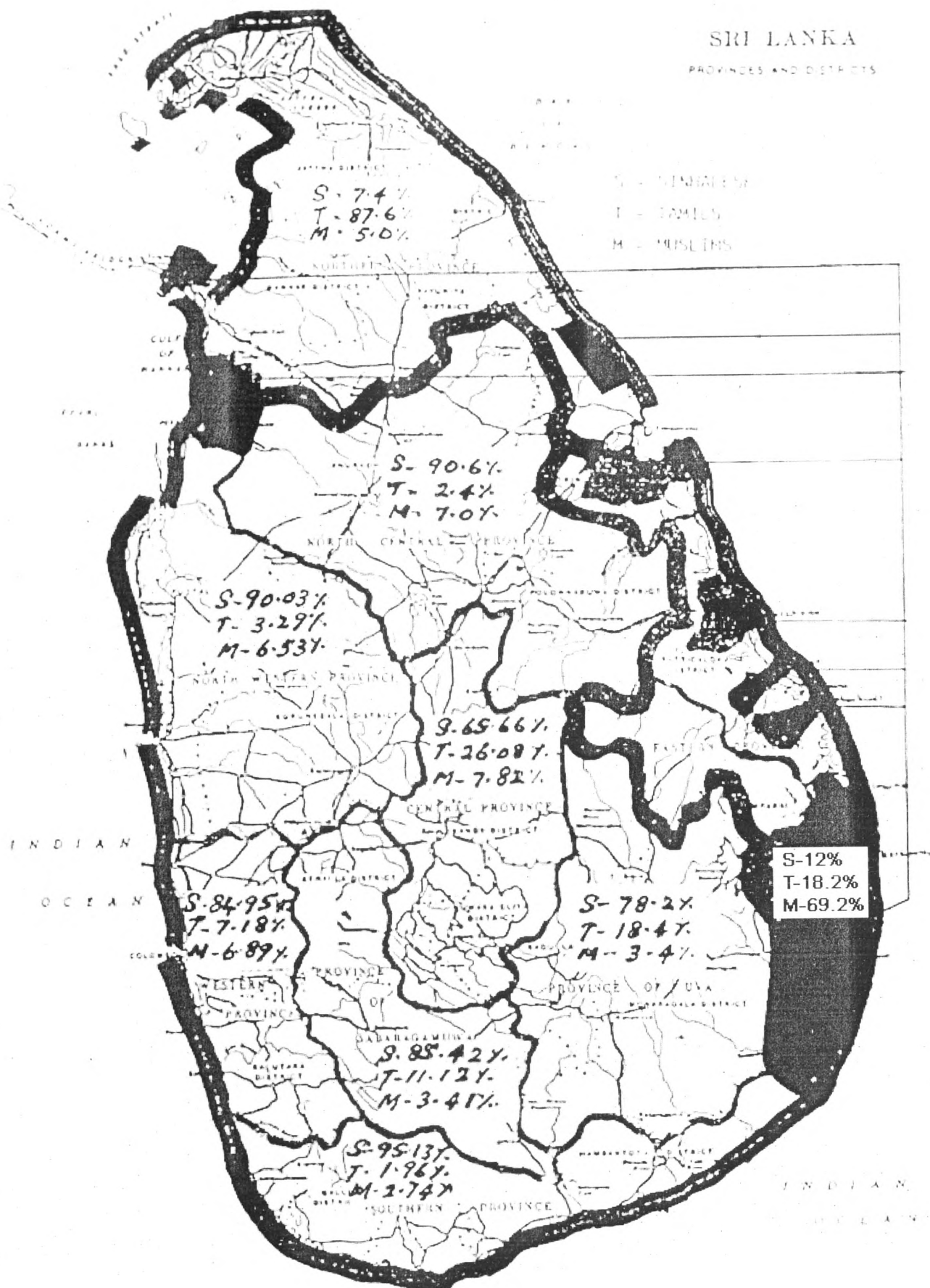
SRI LANKA

PROVINCES AND DISTRICTS

S - SINGHALES

T - TAMILS

M - MUSLIMS



**ENGLISH TRANSLATION OF LTTE - SLMC
JOINT STATEMENT DATED 13 APRIL 2002**

At the LTTE leader's international media conference on 10th April, 2002, Mr. Anton Balasingham repeated his previous apology made at a public meeting on behalf of the LTTE for the forcible expulsion in 1990 of thousands of Muslims by the LTTE as a "political blunder" that could not be justified. Mr. Balasingham said : "Let us forget and forgive the mistakes made in the past. Tamil Elam is also the homeland of the Muslims and we have to live in harmony and amity to promote peace and prosperity in the region." LTTE leader Pirapaharan also acknowledged that the problems of the Muslims have to be resolved along with the problems of the Tamils.

On an invitation from the LTTE Leader V. Pirapaharan, the National Leader of the SLMC and Cabinet Minister Rauff Hackeem flew to the North with five of his party colleagues for a meeting on the 13th April, 2002.

LTTE National Leader Velupillai Pirapaharan, Political Advisor Anton Balasingham, Political Chief S. P. Thamilchevan, Batt./Ampara District Col. Karuna, Trinco. District Col. Pathuman. And Mrs. Adale Balasingham participated on behalf of the LTTE.

Agreement was reached on important practical problems faced by the Muslims in the North-East. LTTE Leader Pirapaharan invited the displaced Muslims from Jaffna and Wanni to come and resettle in their own places. It was decided to established a joint committee of resprentatives from the LTTE and SLMC to facilitate the resettlement. Similarly it was decided to create favorable conditions for the resettlement of the Muslims who were displaced from the Eastern Province.

It was decided to help the Muslims to recultivate the uncultivated agricultural lands belonged to the Muslims in the North- East.

The LTTE agreed to cease immediately extortions from the Muslims in the Eastern Province.

It was decided to appoint an SLMC representative from each district in the North East to discuss the problems faced by the Muslims with LTTE Senior Commanders and to strengthen Tamil Muslims relationship.

It was decided to continue similar top level meetings.

It was decided for the SLMC representatives to participate as group on behalf of the Muslims at the negotiations to be commenced between the Government and the LTTE.

It was decided to approach the political issues of the Muslims in the North East on a policy basis and continue discussions to foster their unique political, cultural and ethnic rights.

Since the SLMC had obtained the majority support of the Muslims, it was decided to talk to SLMC on matters pertaining to the Muslims in the North East.

Sgd.

V. Pirapaharan

National Leader – LTTE

Sgd.

Rauff Hackeem

National Leader -SLMC

16. PRESIDENTIAL COMMISSION OF INQUIRY ON LESSONS LEARNT AND RECONCILIATION

Evidence by M.I.M. Mohideen, Former Secretary General, Peace Secretariat for Muslims and Executive Director, North East Muslim Peace Assembly and Al-Ceylan Muslim Documentation Centre on 03 September 2010

01. War Crimes aganits the Muslims in Muthur - Trincomalee

At least 200 Muslim youths have been abducted by the LTTE in Muthur on Friday the 04th August 2006. On the same day, thousands of fleeing civilians including children, pregnant mothers and the elderly 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

In terms of the CFA the Government of Sri Lanka is responsible for the security in the Government control area.

When the LTTE closed the Mavillaru anicut the government and the Army never understood the true intention of LTTE to capture Muthur. The Army strengthened the safety of the Mavillaru area neglecting the security of Muthur and removed around 400 security personals who were deployed in Muthur and posted them to the Mavilaru area. This had made Muthur more vulnerable to LTTE attacks.

The LTTE carefully observed the situation and entered Muthur on 02nd of August 2006 without any resistance from the security forces. They disconnected the electricity, and used the Muslims as human shields when the army attacked them. The Muslims got caught in the crossfire from both the army and the LTTE. Shells fell on the mosques, schools, hospitals and residential houses.

Since Muthur was totally surrounded by LTTE, the town could not function normally. Business came to stop and the people could not acquire their daily food, children suffered without milk, patients both from the hospital and the casualties suffered without treatment.

Since the infiltration and consolidation of power in the Sampoor area by the LTTE during the CFA period, the security of the Trincomalee Harbour has always been at graet risk.

LTTE attacked the Trincomalee Naval base using 122mm and 130mm, artillery guns and mortars from Sampoor area. These heavy weapons were captured from the military during the Mullaitivu and Elephant Pass debacles. The attacks from these mass destructive heavy weapons remained the biggest challenge to the security forces carrying out operations in the Southern and Eastern parts of Trincomalee. Any mass movement of the security forces have been largely obstructed by these powerful guns.

LTTE also launched fierce attack on three main army camps in Muthur - Kattaparichchan, Gandhinagar and Thoppur.

The CFA become a dead letter with both parties violating it with impunity while regular ethnic cleansing of the Muslims took place in the North East at the behest of the LTTE. The engagements between the government and the LTTE had only resulted in compromising civilian security, particularly that of the Muslim population. Both sides have shown absolute disregard for human security with the LTTE and Government Security forces openly committing war crimes while innocent Muslims were fleeing Muthur. 39,648 Muslim People in 9,920 families were displaced, 32 died and 7 missing during 1st and 8th August 2006 in Muthur.

02. Muslims Hacked to Death in Pottuvil - Ampara

Ten Muslims 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 suspected 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 STF camp, which is an open area with no jungle. This area is fully under the control of the security forces, so there was no likelihood of the LTTE entering this area.

The journalists who visited Pottuvil on Monday the 18th September 2006 have said that the area was gripped by tension with civilians assigning the brutal attack on Muslims was clearly the work of the security forces and not the LTTE.

03. Human Rights Violations Against Muslims

On Thursday the 20th June, 2002; a Muslim three wheeler driver called Faizal was badly beaten by LTTE Ranjan and few others in Muthur.

When Faizal came home bleeding, his family members were provoked. They collected few others and went and caused some damage to the LTTE Office in retaliation for what LTTE Ranjan and others have done to Faizal.

On Wednesday the 26th June 2002, a hartal was organized by the LTTE to protest over the attack on the LTTE office by the Muslims in Muthur. About 500 LTTE cadres participated and forced the Muslims to close their shops and business places and they threatened to set fire to a petrol pumping station in the Muslim area. Muslims closed the shops but resisted any attack on the petrol pumping station and the clash between the Tamils and Muslims started. Five shops and seven houses belonging to the Muslims were destroyed by the LTTE who came in the so called peaceful hartal procession. They also removed the barbed wire fence to the paddy fields and drove the cattle in to destroy nearly 700 acres of paddy belonged to the Muslims.

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, the LTTE abducted two Muslims killed and threw them in Kalmudu paddy field. The LTTE cadres with arms objected the removal of the bodies for burial according to Muslims rites and insisted the burning them at the site. The Army Major Hettiarachi contacted the Head Quarters and he was given the orders from Colombo 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 Parents, Army and Police and destroyed all evidence of the horrendous human rights violation against the Muslims by the LTTE during cease fire.

04. LTTE Military Camp in Kinniya, Kurangupanchan Mosque

The Kurangupanchan area is in Kinniya - Trincomalee.

The Government Agent and the representatives of the Sri Lanka Monitoring Mission jointly had a meeting on Kurangupanchan Development Project on 06th June 2003. More than 200 displaced Muslims participated in the meeting. In order to stop any development and the resettlement of the displaced Muslims, the LTTE has set up their unlawful Military Camp in the mosque and abducted a Muslim, Mohamed Haniffa Abdul Latiff.

The unlawful erection of the military camp by the LTTE in Kurangupanchan mosque was the most controversial issue discussed in the media. The parties to the ceasefire agreement – GOSL, LTTE, and the Norway facilitator should have realized that the violation of the ceasefire agreement in Kurangupanchan is denying the Muslims the benefit of the cease fire agreement in the peace process. The LTTE Camp in the mosque is now occupied by Sri Lankan Security Forces.

05. Land and Property Rights of North East Muslims

When questioned during the Media Conference which was described as the largest media event in Sri Lanka organised by the Tamil Tigers on 10th April 2002; about the forcible expulsion of tens of thousands of Muslim families by the LTTE in October 1990 from the North and the massacre of Muslims inside mosques in the East, LTTE Political Advisor Anton Balasingam said that It was he who made an apology to the Muslim people in public for what had happened in the past and that they were willing to talk the Muslims and resolve these issues.

Responding to another question about the harassment of Muslims in the Eastern province and the statement that the LTTE's Eastern commander, Karikalan had reported to have made that the Muslims had no land rights in the Eastern province, Mr. Anton Balasingam

replied, "we want to tell you that we have called the senior Commanders of the Eastern province to discuss the alleged harassment of Muslim people. We believe that there is no dispute as far as the LTTE is concerned on the issue of the Muslim people owning land in the North-East."

06. De-Merger of Eastern Provinces

The Supreme Court on Monday the 16th October 2006, in a landmark judgment ruled that the merger of the Northern and the Eastern Provinces null and void.

The merger of the North and the East flared up opposition as it was paving the way to the creation of a single Tamil dominated administrative entity that encompassed one third of the land area and two-third of the country's coast. Also the ethnic balance of the Eastern Province was another matter of contention.

Even with strong opposition by the Sinhala and Muslim communities, successive Presidents Ranasinghe Premadasa, D.B. Wijetunga and Chandrika Kumaratunga continued the extension of the merger with the hope of arriving at a negotiated settlement to the national question and then deciding on the fate of the two provinces at a final solution.

With the split of Karuna from the LTTE, Tamil regionalism based on the Eastern province came to the fore adding a new dimension to the issue of the North-East merger.

The Muslims who have faced the brunt of ethnic cleansing from North and more recently in the East have absolutely no desire to subject themselves to further tyranny by the Tamil nationalists who have consistently tried to trap the Muslims in politics of "Tamil speaking peoples".

07. Sinhalisation of Administration of the De-merged Eastern Province

After de-merging the East in October 2006, the Eastern Province administration is being ethnically transformed. Former Trincomalee GAs Rodrigo and Nelundeniya are the chief secretary and public administration secretary respectively. Former Matale GA, Udage is the secretary of the provincial Public Services Commission.

There are also many ex-servicemen in key positions. The Governor is Rear Admiral Mohan Wijewickrema. The GA is Major General Ranjith de Silva. The Rehabilitation Coordinator is Major General Amaradeva. The Governor's Secretary is Capt. Patrick Jayasinghe and Sunil Kannankagara is the GA Apmara.

Appointing ex-servicemen to key administrative posts has been criticized by members of the administrative service. However, the fact remains that this combination of retired administrative and security officials is well-equipped to implement the 'Sinhalisation' process in the East.

08. Eastern Provincial Council Election on 10th May 2008 and the appointment of the Chief Minister

Before the election, President Mahinda Rajapakse Promised that the group that returns the highest number of members to the council would be appointed the chief minister of the Eastern Provincial Council.

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. In the total of 35 elected members from both side, there were 17 Muslims as opposed to 11 Tamils and 7 Sinhalese.

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 members, 11 Tamils and 7 Sinhalese members elected to the 35 member council.

Although the Muslims command the majority in the council, the government presented various arguments to change the promise and appointed a Tamil ex-LTTE terrorist as the Chief Minister of the Eastern Province.

09. Muslims Discriminated in Rebuilding and Rehabilitation of the East

Soon after the demerger of the East by the Supreme Court and following the take over of the province by the armed forces, President Mahinda Rajapaksa led UPFA government having elaborate plans to rebuild and rehabilitate the East. However the Muslim community feels the government has not so far included them into the development process.

While the government rebuilding the infrastructure, the people must be given back their lost lands and freedom to engage in whatever livelihood they were engaged before.

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.

The new flag has three symbols – the lion, eagle and fish. The Muslims claimed that while the lion and fish represent the Sinhalese and Tamils respectively, there is no symbol to represent the Muslims.

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.

Para Military Forces harassing civilians

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

Apart from encroaching lands belonging to Muslims, the Tamil terrorists have commenced taking ransom. Most Muslims 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.

10. Reconciliation

Reconciliation between the Tamils, Muslims and the Sinhalese in the North East was taken up as a priority item at the Peace Talks commenced on Thursday the 31st October 2002, at the Rose Garden Holiday Resort Thailand.

On a decision at the 5th session of the peace talks in Berlin on 7th & 8th of February 2003, LTTE – Muslim District Committees were established in all the three districts in the Eastern Province by the Government Peace Secretariat under the Prime Minister, to mediate lands and properties issues between the Tamils and Muslims.

The resolution of resettlement, land, security, and power-sharing questions would be of enormous significance and will establish the basis for reconciliation between the Tamil, Muslims and Sinhalese communities in the area of conflict - North East. If these issues are not resolved reconciliation and permanent peace will never return to the North East of Sri Lanka.

11. Lessons Learnt Period

Indo- Sri Lanka Agreements of 29th July 1987 and the arrival of Indian Peace keeping force - IPKF, the 13th Amendments of the constitution certified on 14th November 1987, provincial Council Act No 42 of 1987, Unilateral proclamation of Independence of the separate state "Tamil Elam" and the EPRLF Chief Minister of North East Provincial Council surreptitiously leaving Sri Lanka with his 250 supporters to India in March 1990, North East Province Governor's Communication that more than one -half of the membership of the council refusing obedience to Sri Lanka Constitution, the dissolution of the merged North East Provincial Council, Ethnic Cleansing of Muslims from North in October 1990 were some of the important Lessons we have Learnt. Therefore, the Lessons Learnt Period should have commenced from 29th July 1987 instead of 19th May 2009.

17. EASTERN MUSLIM PEACE ASSEMBLY – EMPA

THE AIM AND OBJECTS OF NEMPA:

AIM: The Aim of EMPA shall be to unite all Muslims in the East of Sri Lanka to actively participate in the peace process and to develop healthy relationship with Muslims, Tamils and Sinhalese for peaceful co-existence.

OBJECTS The Objects of the EMPA shall be:

- (i) The promotion of unity, and harmony among all the people of Sri Lanka.
- (ii) Establish friendly relations with the International Community

Activities:

1. Establish Village Units throughout the East to achieve the aims and objects of EMPA
2. Mobilizing Muslim Resource Persons in the East
3. Organising Seminars and Workshops on Land and Property rights, Security, Resettlement of the forcibly displaced Muslims and Power Sharing in the North East.
4. Publishing Situation Reports
5. Briefing Diplomats and International Organisation about Muslim Minority Issues in Sri Lanka.

EASTERN MUSLIM PEACE ASSEMBLY EXECUTIVE COMMITTEE VILLAGE UNITS

EMPA Executive Committee

Office Bearers:

President

Secretary General

Asst. Secretary

Treasurer

Dep. President - Ampara, Dep. President - Batticaloa, Dep. President - Trincomalee

Cord. Secretary - Ampara, Cord. Secretary - Batticaloa, Cord. Secretary - Trincomalee

Publicity Secretary

VILLAGE UNITS

Ampara Dist. Members	Batticaloa Dist. Members	Trincomalee Dist. Members
1. Pottuvil 4	1. Kattankudy 4	1. Kuchchaveli 4
2. Akkaraipattu 4	2. Eravur 4	2. Thambalagamam 4
3. Addalachchenai 4	3. Oddamavadi 4	3. Kinniya 4
4. Oluvil 4	4. Valachchenai 4	4. Muthur 4
5. Palamunai 4	5. Meeravodai 4	5. Pudavakkattu 4
6. Ninthavur 4		6. Kanthalai 4
7. Sainthamaruthu 4		7. Thoppur 4
8. Kalmunai 4		8. Trincomalee Town 4
9. Sammanthurai 4		
10. Irakkamam 4		
11. Maruthamunai 4		
12. Natpittimunai 4		

1.0 DOCUMENTS

1. Sri Lanka Muslims & Ethnic Grievances
2. இலங்கையில் முஸ்லிம்கள் புறக்கணிக்கப்படுகின்றனர்
3. The Grievances of the Muslim Community under P.R. Election System in Sri Lanka
4. இலங்கை முஸ்லிம்களும் இனப்பிரச்சினைகளும்
5. ஆட்சி அதிகாரப் பகிர்வில் முஸ்லிம்களுக்கு நீதி வேண்டும்
6. A Memorandum to the select committee of Parliament of Sri Lanka to recommend ways and means of achieving peace and political stability in the country
7. Memorandum to Her Excellency the President by Sri Lanka Muslim Congress
8. இலங்கை அரசியலமைப்பும் தேர்தல்முறைசார் சீர்திருத்தங்களும்
9. Minority Rights and Constitutional Reforms in Sri Lanka
10. Ethnic Conflict and Devolution of Power in Sri Lanka
11. அரசியலமைப்பு சீர்திருத்தங்களுக்கான பொதுசன ஐக்கிய முன்னணி அரசாங்கத்தின் ஆலோசனைகள் ஸ்ரீலங்கா முஸ்லிம் காங்கிரசின் பிரேரணைகளுக்கு ஏற்புடையதாக இல்லை
12. முடங்கிக் கிடக்கும் முக்கிய அலுவல்கள்
13. வடக்கு, கிழக்கு, தமிழ், முஸ்லிம் இனக்கலவரங்களின் அகப்பாடு
14. ஆட்சி அதிகாரப் பரிவுகள் ஏற்படுத்துவதில் கிழக்கிழங்கை முஸ்லிம்களுக்கு இழைக்கப்பட்ட அநீதி
15. இலங்கை - இந்திய உடன்படிக்கையினால் (தற்காலிகமாக) ஒன்றிணைந்த வடக்கு, கிழக்கு மாநிலத்தில் தமிழ் போராளிகளின் அத்துமீறல்களும் அவர்கள் நடத்தி முடித்த மாகாணசபைத் தேர்தலும்
16. Position Paper regarding the Muslim Question
17. வடக்கு, கிழக்கு இனப்பிரச்சினை தீர்வுக்காக முஸ்லிம்களால் முன்வைக்கப்பட்ட ஆலோசனைகளும் உடன்பாடுகளும்
18. அதிகாரப்பகிர்வு ஆலோசனைகளும் முஸ்லிம்கள் அதிகப்படியான மாநில சபை ஒன்றின் அவசியமும்
19. Tamil – Muslim Ethnic Conflict in the East
20. The Need for Power Sharing arrangements for the Muslims in the North-East
21. Constitution of Sri Lanka and Electoral Reforms – Muslim Point of View
22. Muslim Proposals for the North East Interim Council
23. முஸ்லிம் பிரேரணைகள் வடக்கு கிழக்கு இடைக்கால நிருவாக சபை
24. இலங்கை முஸ்லிம்களின் அரசியல் அடையாளமும் தலைமைகளும்
25. North-East Muslim Question and Peace Process in Sri Lanka
26. Eastern Province Muslim Politics, Ethnic Conflict and Discriminations
27. கிழக்கிலங்கை முஸ்லிம் அரசியல், இனமுரண்பாடு, புறக்கணிப்பு
28. கிழக்கிலங்கை முஸ்லிம்களின் முக்கிய பிரச்சினைகள்
29. Sinhalization of the Eastern Province and the truth about Muslims' Grievances
30. தமிழ் பேசும் மக்களின் வரலாற்று வாழ்விடமான வடகிழக்கு மாநிலத்தில் கிழக்கு முஸ்லிம்களுக்குள்ள முக்கிய குறைபாடுகள்
31. Implementation of the 13th Amendment to Sri Lanka Constitution and the Grievances of Muslims in the Eastern and Northern Provinces
32. Resettlement of Internally Displaced Muslims in Jaffna District, Sri Lanka
33. Muslim Minority Issues in Sri Lanka
34. Power Sharing in Sri Lanka
35. The Plight of Colombo Muslims and the National Political Parties
36. The Road Map to Resolve Muslims' Grievances in Sri Lanka
37. Research Reports on Muslims' Grievances in Sri Lanka
38. Reconciliation between Muslims and Tamils in the Northern and Eastern Provinces

2.0 SITUATION REPORTS (with CD)

1. Tamil Muslim Ethnic Conflict in the East
2. LTTE Kurangupanchan New Military Camp in Muslim Heart Land
3. Duplicity in the Peace Process and North - East Muslim Question
4. Resettlement of Internally Displaced Muslims in the North-East Sri Lanka
5. Electoral Reforms a Muslim Point of View
6. Kinniya Faisal Nagar Al-Irfan Muslim Vidyalayam Land Dispute between Tamils and Muslims
7. Conflict Resolution between Tamils and Muslims for Peaceful Co-Existence in the North-East
8. Sri Lanka Parliament Debates Independent Muslim Participation in Peace Talks
9. North - East Muslims and the Interim Administrative Structure
10. Muslim Land Rights and Security Question in the North-East
11. Register of Muslim Lands Forcibly Occupied by the Tamils in the Eastern Province of Sri Lanka
12. LTTE Meets Muslim Civil Society to Resolve Tamil Muslim Conflicts in Trincomalee District
13. General Election 2004 – Forecast
14. Proposals for the North East Interim Council
15. Register of Lands, Residential Houses and Properties of Muslims Forcibly Displaced by the LTTE in October 1990 from the Northern Province Sri Lanka
16. North East Ethnic Conflict and Sri Lanka Peace Process
17. Electoral Reforms a Muslim Pint of View
18. The Land Rights Question of Muslims in the North East
19. The Need for Power Sharing Arrangement for the Muslims in the North East
20. முஸ்லிம் பிரேரணைகள் வடக்கு கிழக்கு இடைக்கால நிருவாக சபை
21. Reviving the Peace Process
22. Prospects of Further Violence and Resumption of Hostilities
23. What Price Peace for North East Muslims?
24. Issues Confronting the Muslims in the LTTE ISGA Proposals and the Peace Process
25. Executive Presidency and the Resolution of Ethnic Conflict
26. Presidential Election - North East Muslims have to Choose Between War and Slavery
27. 2004 December 26 “Tsunami” Resettlement of Muslim Victims in the Eastern Province Buffer Zone
28. Planned Reconstruction and Resettlement of Eastern Province Muslim “Tsunami” Victims in the Coastal Area - 200 Meters From the Sea
29. Muslim Demand Independent Participation in the Peace Talks
30. Muslim Tsunami Victims Discriminated in the Eastern Province
31. Fifth Session of Peace Talks held in Berlin of 7-8 February 2003
32. The Need for Muslim Independent Participation in the Peace Talks
33. Peace Secretariat for Muslim and Documentation Centre
34. North East Muslims and LTTE Proposal for and Interim Self Government Authority
35. Resumption of Hostilities and Duplicity in the Peace Process in Sri Lanka
36. Battle of Muthur 01-08 August 2006 - Ethnic Cleansing and Massacre of Muslims
37. Sri Lanka Muslims and Electoral Reforms
38. Muslims Hacked to Death on eve of Ramazan in Pottuvil, Eastern Province - Saturday, 16 September 2006
39. Register of Mosques Destroyed After The Forcible Expulsion Of Muslims from the North by the LTTE in October 1990
40. Supreme Court De-merge Northern and Eastern Provinces – 16 October 2006
41. Eastern Provincial Council Election – 10 May 2008
42. Supreme Court Injunction Restraining Resettlement of Muslims Displaced due to Tsunami Destruction in Akkaraipattu D.S. Division, Ampara district

43. Implementation of the 13th Amendment to Sri Lanka Constitution
44. Resolution of Ethnic Crisis in Sri Lanka - A Muslim Perspective
45. Resettlement of Internally Displaced Jaffna District Muslims
46. Muslim Representation in Local Authorities

3.1 REGISTER OF MUSLIM LANDS FORCIBLY OCCUPIED BY THE TAMILS IN THE EASTERN PROVINCE OF SRI LANKA (with CD)

Ampara District

2. Muslim Lands forcibly occupied by Tamils in Pottuvil
3. Muslim Lands forcibly occupied by Tamils in Akkaraipattu
4. Muslim Lands forcibly occupied by Tamils in Addalachchenai
5. Muslim Lands forcibly occupied by Tamils in Oluvil/ Palamunai
6. Muslim Lands forcibly occupied by Tamils in Ninthavur
7. Muslim Lands forcibly occupied by Tamils in Sammanthurai
8. Muslim Lands forcibly occupied by Tamils in Irakkamam
9. Muslim Lands forcibly occupied by Tamils in Kalmunai
10. Muslim Lands forcibly occupied by Tamils in Maruthamunai

Batticaloa District

11. Muslim Lands forcibly occupied by Tamils in Kattankudy
12. Muslim Lands forcibly occupied by Tamils in Eravur
13. Muslim Lands forcibly occupied by Tamils in Oddamavady
14. Muslim Lands forcibly occupied by Tamils in Valaichenai

Trincomalee District

15. Muslim Lands forcibly occupied by Tamils in Kinniya
16. Muslim Lands forcibly occupied by Tamils in Mutur
17. Muslim Lands forcibly occupied by Tamils in Thoppur
18. Muslim Lands forcibly occupied by Tamils in Pulmoddai
19. Muslim Lands forcibly occupied by Tamils in Morrarwewa

4.1 REGISTER OF LANDS OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE - SRI LANKA (with CD)

Mannar District

2. Lands of Muslims forcibly displaced by the LTTE in Mannar
3. Lands of Muslims forcibly displaced by the LTTE in Musali
4. Lands of Muslims forcibly displaced by the LTTE in Manthai West
5. Lands of Muslims forcibly displaced by the LTTE in Madu
6. Lands of Muslims forcibly displaced by the LTTE in Nanattan

Jaffna District

7. Lands of Muslims forcibly displaced by the LTTE in Jaffna
8. Lands of Muslims forcibly displaced by the LTTE in Chavekachcheri
9. Lands of Muslims forcibly displaced by the LTTE in Island South
10. Lands of Muslims forcibly displaced by the LTTE in Vadamarachi North
11. Lands of Muslims forcibly displaced by the LTTE in Valikamam South West
12. Lands of Muslims forcibly displaced by the LTTE in Valikamam North

Kilinochchi District

13. Lands of Muslims forcibly displaced by the LTTE in Poonakari
14. Lands of Muslims forcibly displaced by the LTTE in Poonakari
15. Lands of Muslims forcibly displaced by the LTTE in Karachchi
16. Lands of Muslims forcibly displaced by the LTTE in Pachchilaipalli

Mullaitheevu District

17. Lands of Muslims forcibly displaced by the LTTE in Maritimepattu
18. Lands of Muslims forcibly displaced by the LTTE in Maritimepattu
19. Lands of Muslims forcibly displaced by the LTTE in Puthukudiyiruppu

Vavuniya District

20. Lands of Muslims forcibly displaced by the LTTE in Vavuniya South
21. Lands of Muslims forcibly displaced by the LTTE in Venkalachchettikulam

5.1 REGISTER OF RESIDENTIAL HOUSES OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE - SRI LANKA (with CD)

Mannar District

2. Residential Houses of Muslims forcibly displaced by the LTTE in Mannar
3. Residential Houses of Muslims forcibly displaced by the LTTE in Musali
4. Residential Houses of Muslims forcibly displaced by the LTTE in Manthai West
5. Residential Houses of Muslims forcibly displaced by the LTTE in Madu
6. Residential Houses of Muslims forcibly displaced by the LTTE in Nanattan

Jaffna District

7. Residential Houses of Muslims forcibly displaced by the LTTE in Jaffna
8. Residential Houses of Muslims forcibly displaced by the LTTE in Chavekachcheri
9. Residential Houses of Muslims forcibly displaced by the LTTE in Island South
10. Residential Houses of Muslims forcibly displaced by the LTTE in Vadamarachchi North
11. Residential Houses of Muslims forcibly displaced by the LTTE in Valikamam North
12. Residential Houses of Muslims forcibly displaced by the LTTE in Valikamam South West

Kilinochchi District

13. Residential Houses of Muslims forcibly displaced by the LTTE in Poonakari
14. Residential Houses of Muslims forcibly displaced by the LTTE in Karachchi
15. Residential Houses of Muslims forcibly displaced by the LTTE in Pachchilaipalli

Mullaitheevu District

16. Residential Houses of Muslims forcibly displaced by the LTTE in Maritimepattu
17. Residential Houses of Muslims forcibly displaced by the LTTE in Puthukudiyiruppu

Vavuniya District

18. Residential Houses of Muslims forcibly displaced by the LTTE in Vavuniya South
19. Residential Houses of Muslims forcibly displaced by the LTTE in Venkalachchettikulam

6.1 REGISTER OF PROPERTIES OF MUSLIMS FORCIBLY DISPLACED BY THE LTTE IN OCTOBER 1990 FROM THE NORTHERN PROVINCE - SRI LANKA (with CD)

Mannar District

2. Properties of Muslims robbed by the LTTE in Mannar
3. Properties of Muslims robbed by the LTTE in Musali
4. Properties of Muslims robbed by the LTTE in Manthai West
5. Properties of Muslims robbed by the LTTE in Madu
6. Properties of Muslims robbed by the LTTE in Nanattan

Jaffna District

7. Properties of Muslims robbed by the LTTE in Jaffna
8. Properties of Muslims robbed by the LTTE in Chavekachcheri
9. Properties of Muslims robbed by the LTTE in Island South
10. Properties of Muslims robbed by the LTTE in Valikamam North
11. Properties of Muslims robbed by the LTTE in Valikamam South West
12. Properties of Muslims robbed by the LTTE in Valikamam East
13. Properties of Muslims robbed by the LTTE in Vadamarachi North
14. Properties of Muslims robbed by the LTTE in Nalloor

Kilinochchi District

15. Properties of Muslims robbed by the LTTE in Poonakari
16. Properties of Muslims robbed by the LTTE in Karachchi
17. Properties of Muslims robbed by the LTTE in Pachchilaipalli

Mullaitheevu District

18. Properties of Muslims robbed by the LTTE in Maritimpeattu
19. Properties of Muslims robbed by the LTTE in Puthukudiyiruppu

Vavuniya District

20. Properties of Muslims robbed by the LTTE in Vavuniya South
21. Properties of Muslims robbed by the LTTE in Venkalachchettikulam

7.0 REGISTER OF 2004 DECEMBER 26 "TSUNAMI" DESTRUCTION OF EASTERN PROVINCE MUSLIMS (with CD)

1. Tsunami Destruction to Muslims in Eastern Province – Survey Report – Volume I
2. Tsunami Destruction to Muslims – Personal Destructions – Volume II

Ampara District

3. Personal Destruction in Maruthamunai
4. Residential Destruction in Maruthamunai
5. Occupational Destruction in Maruthamunai
6. Personal Destruction in Kalmunai
7. Residential Destruction in Kalmunai
8. Occupational Destruction in Kalmunai
9. Personal Destruction in Sainthamaruthu
10. Residential Destruction in Sainthamaruthu
11. Occupational Destruction in Sainthamaruthu
12. Personal Destruction in Malikaikadu
13. Residential Destruction in Malikaikadu
14. Occupational Destruction in Malikaikadu

15. Personal Destruction in Ninthavur
16. Residential Destruction in Ninthavur
17. Occupational Destruction in Ninthavur
18. Personal Destruction in Oluvil
19. Residential Destruction in Oluvil
20. Occupational Destruction in Oluvil
21. Personal Destruction in Addalachchenai
22. Residential Destruction in Addalachchenai
23. Occupational Destruction in Addalachchenai
24. Personal Destruction in Akkaraipattu
25. Residential Destruction in Akkaraipattu
26. Occupational Destruction in Akkaraipattu
27. Personal Destruction in Pottuvil
28. Residential Destruction in Pottuvil
29. Occupational Destruction in Pottuvil

Batticaloa District

30. Personal Destruction in Kattankudy
31. Residential Destruction in Kattankudy
32. Occupational Destruction in Kattankudy
33. Personal Destruction in Palamunai
34. Residential Destruction in Palamunai
35. Occupational Destruction in Palamunai
36. Personal Destruction in Manchanthoduvai
37. Residential Destruction in Manchanthoduvai
38. Occupational Destruction in Manchanthoduvai
39. Personal Destruction in Poonochchimunai
40. Residential Destruction in Poonochchimunai
41. Occupational Destruction in Poonochchimunai

Trincomalee District

42. Personal Destruction in Mutur
43. Residential Destruction in Mutur
44. Occupational Destruction in Mutur
45. Personal Destruction in Kinniya
46. Residential Destruction in Kinniya
47. Occupational Destruction in Kinniya
48. Personal Destruction in Kuchchaveli
49. Residential Destruction in Kuchchaveli
50. Occupational Destruction in Kuchchaveli
51. Personal Destruction in Trincomalee Town
52. Residential Destruction in Trincomalee Town
53. Occupational Destruction in Trincomalee Town

8.0 REGISTER OF 2004 DECEMBER 26 "TSUNAMI" DESTRUCTION WITHIN 200 METERS OF EASTERN PROVINCE MUSLIMS

1. Planned Reconstruction and Resettlement in the Coastal Areas - 200 Meters from the Sea

Ampara District

2. Personal Destruction in Maruthamunai
3. Residential Destruction in Maruthamunai
4. Occupational Destruction in Maruthamunai

5. Personal Destruction in Kalmunai
6. Residential Destruction in Kalmunai
7. Occupational Destruction in Kalmunai
8. Personal Destruction in Sainthamaruthu
9. Residential Destruction in Sainthamaruthu
10. Occupational Destruction in Sainthamaruthu
11. Personal Destruction in Malikaikadu
12. Personal Destruction in Ninthavur
13. Residential Destruction in Ninthavur
14. Occupational Destruction in Ninthavur
15. Personal Destruction in Oluvil
16. Residential Destruction in Oluvil
17. Occupational Destruction in Oluvil
18. Personal Destruction in Addalachchenai
19. Residential Destruction in Addalachchenai
20. Occupational Destruction in Addalachchenai
21. Personal Destruction in Akkaraipattu
22. Residential Destruction in Akkaraipattu
23. Occupational Destruction in Akkaraipattu
24. Personal Destruction in Pottuvil
25. Residential Destruction in Pottuvil
26. Occupational Destruction in Pottuvil

Batticaloa District

27. Personal Destruction in Kattankudy
28. Residential Destruction in Kattankudy
29. Occupational Destruction in Kattankudy
30. Personal Destruction in Palamunai
31. Residential Destruction in Palamunai
32. Occupational Destruction in Palamunai
33. Personal Destruction in Mananthoduvai
34. Occupational Destruction in Mananthoduvai
35. Personal Destruction in Poonochchimunai
36. Residential Destruction in Poonochchimunai
37. Occupational Destruction in Poonochchimunai

Trincomalee District

38. Personal Destruction in Mutur
39. Residential Destruction in Mutur
40. Occupational Destruction in Mutur
41. Personal Destruction in Kinniya
42. Residential Destruction in Kinniya
43. Occupational Destruction in Kinniya
44. Personal Destruction in Kuchchaveli
45. Residential Destruction in Kuchchaveli
46. Occupational Destruction in Kuchchaveli
47. Personal Destruction in Trincomalee Town
48. Residential Destruction in Trincomalee Town
49. Occupational Destruction in Trincomalee Town

EASTERN MUSLIM PEACE ASSEMBLY – EMPA

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With the lessons learnt in the past, the Muslim community will not accept the Muslim Ministers in the Government with collective cabinet responsibilities to represent Muslim interests in the negotiation to resolve ethnic grievances in Sri Lanka. We wish to participate in the negotiations clearly and solely as an independent group on the basis of our own interests whether or not these interests converge with the interests of the Government, Sinhalese or the Tamils. We wish to have our own independent representation at all negotiations whether it is devolution of power - the 13th Amendment to the Constitution and Police and land powers to the provincial councils. The North-East Muslims who were directly affected by the ethnic conflict should be able to choose the composition of Muslim representations to advance our interest at the negotiations. It is a matter for the affected Muslims of the North-East to decide among ourselves. There should not be dictation or manipulation by other interested parties with regard to the composition of the representation and the position that the North-East Muslims wish to take.



M.I.M. Mohideen

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