

1. TAMIL-MUSLIM ETHNIC CONFLICT IN THE NORTH EAST

A peculiar phenomenon in the North East is that a Muslim Village is interspersed with Tamil Village and vice versa. Substantial share of private lands owned by the Muslims are adjacent to the Tamil Villages. Due to increase of population, Muslims and Tamils are facing acute shortage of lands for expansion. As scarcity of land become acute, tension between the two communities increased, mainly because of fears of expansion. As a result of this socio-economic factor, new rules and regulations evolved among both communities which forbade members of either ethnic group to sell land and properties to the other ethnic community. This is indicative of a desire by both ethnic communities to maintain their separate identities in a situation where they had co-existed for centuries. However, the Muslims were buying lands from the Tamils offering higher prices by virtue of their economic position, whereas the Tamils unlawfully occupying thousands of acres of private lands belonging to the Muslims with the help of armed Tamil militants, for example the lands of Rasool Estates in Komari-Pottuvil, Thirukkivil, Eravur, Thampalakamam, Trincomalle etc.

The occupation of the earlier generation of the North East Muslims were, related to cultivation, and to a lesser extent fishing and trading. However, after the introduction of free education and guaranteed price for paddy, in Sri Lanka, the educational and economic status of the Muslims in the North East had improved considerably. A large number of doctors, engineers, accountants, lawyers, technicians and university graduates have emerged among the Eastern Province Muslims. In Short; the Muslim intelligentsia has now shifted to the East.

Contrary to popular claims from various quarters of peace, amity and sense of co-existence among the Muslims and Tamils in the North East, resentment and antipathy among the Tamils have been growing towards the Muslims for the last half a century, particularly after the independence to Sri Lanka in 1948. In fact they feel that the Muslims

were better placed economically than the Tamils. Muslim youths were advancing in education and out-pacing the Tamils in higher education at the universities and technical institutions. Muslims were able to obtain more government and private sector jobs thus pushing the Tamil youths into the cadre of unemployment. Muslims were more favourably placed with the Government in power on the strength of their leaders disclaiming separatist policies, while the Tamils caught in the web of “Eelam” activities, were left in the lurch and thus alienated from the government with the onset of struggle for a separate state for the Tamils. Muslims were unsympathetic towards the division of the country and their separate state demand and therefore constituted a danger in their midst.

Owing to the geographical location and economic interdependence of the two communities Tamil and Muslims in the North East, there have been intermittent clashes over the years over comparatively trivial issues such as Muslim farmers being harassed by the Tamils when they pass through Tamil areas, waylaying of vehicles, and robbing of paddy and heads of cattle belonging to the Muslims.

However, after the 1983 ethnic violence in Sri Lanka, it was found that the Tamils in the North East, have been openly giving expressions to their feelings of resentments and antipathy towards the Muslims by verbal insinuations, deprecations and even insults regarding the position of the Muslims as “Usurpers” of their lands “Exploiters” of Technical Education and Employment. Tamils began to harass the Muslims, waylay and rob them when ever Muslim traversed the Tamil areas on their way and back home from their paddy fields.

This volatile atmosphere gave rise to suspicion and made the Muslims in the North East to realize that the prospect of sharing political and economic powers with the Tamils in the event of a separate state becoming a reality, are remote.

2. HUMAN RIGHT VIOLATIONS AGAINST NORTH EAST MUSLIMS

Before the Cease Fire 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, motor-cycles and other valuables at gun point, and threats for co-operations with the separatist movement took place. When such atrocities escalated, the Muslims tried to assuage the situation not by open warfare but by humane methods as prescribed by the laws of Islam.

The breaking point of the Muslims came when the Tamil separatists tried, in the course of robbing a rich Muslim trader, to take his daughter as hostage in Akkaraipattu, a predominant Muslim Town, 14 miles down South of Kalmunai, in the Amparai District. Angered by this, the Muslims registered their protest by peaceful hartal in Akkaraipattu, from 08th to 12th April 1985. All the shops reopened for business on the 13th of April 1995. The Sri Lanka National Flag was hoisted in the bazaar, declaring solidarity of the Muslims with the government and rejection of the division of the Country.

On the 14th of April 1985, at 9.00 a.m. thirteen Tamil Separatists came into Akkaraipattu by a jeep from Karaithievu, a Tamil village 10 miles North of Akkaripattu. They were fully armed and were firing, the first shot in the vicinity of the Town Mosque of Akkaraipattu. They then raced towards the junction in the main market place. Due to high speed, they were unable to negotiate the turn and the Jeep toppled. Most of them died on the spot and the rest were shot by the police.

With this unfortunate incident, the Tamil, Muslim ethnic violence started and swiftly spread to Kalmunai, 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.

During the massive anti-terrorist operation by the Sri Lanka Armed Forces, in Muthur in May 1985, Tamils suffered very badly. It was the Muslims who gave the Tamils a helping hand during those difficult days. Unfortunately, this did not in any way changed the anti Muslim attitude of the Tamils.

Tamil Separatists brutally murdered Mr. Habeeb Mohamed, the Assistant Government Agent of Muthur on the 3rd of September 1987, which led to widespread protest – demonstrations by the Muslims throughout the Eastern province. Annoyed by this the Tamil Separatists organized a counter demonstration on the 10th of September 1987 in Kalmunai, which resulted in the Tamils attacking and burning Muslims owned shops, rice mills and houses in the predominant Muslim Town of Kalmunai, in the presence of the IPKF. Properties belonging to the Muslims damaged by the Tamils were valued approximately Rupees 67 Millions.

Mr. A.L. Abdul Majeed, a former M.P., and Deputy Minister of Muthur was killed on the 13th of November 1987. Mr. Abdul Majeed was actively involved in the relief assistance of the thousands of Muslim refugees who came from Muthur, consequent to Tamil armed separatists attack on the Muslim on the 12th of October in the presence of the IPKF.

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 the 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 militant. 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.

Because of the attacks launched by the IPKF and armed Tamil militants, nearly 65,000 innocent Muslims who have lived for generation in Mannar, Jaffna, Mullathievu and Vavunia have abandoned their homes and are now living in refugee camps outside their homes.

Muslim Refugees in Sri Lanka in December 1987.

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

<u>Eastern Province</u>	<u>1981</u>	<u>1987</u>	<u>Muslim Refugees</u>
Ampara District	161,754	193,797	-
Kalmunai	45,480	54,576	-
Sammanthurai	37,996	45,592	-
Ninthavur	20,716	24,860	-
Addalachchenai	20,140	24,168	-
Akkaraipattu	22,941	27,529	-
Pottuvil	13,433	16,120	-
Batticaloa District	79,662	94,939	10,225
Batticaloa Town	3,725	4,432	-
Kattankudy	26,509	31,546	-

Eravur	21,582	25,683	
Ottamawadi/Valachchenai	27,291	32,476	10,225
Trincomalee District	49,280	87,428	49,280
Trinco Town & Gravat	7,979	9,176	5,000
Mutur	19,184	22,062	16,000
Kinniya	28,669	32,969	18,000
Thambalakamam	8,008	9,209	6,280
Kuchchaveli	2,088	2,401	2,000
Kanthalai	4,406	5,067	2,000

Northern Province

Jaffna District	14,169	13,306	13,160
Jaffna Town	10,925	10,270	10,100
Chavakachcheri	601	565	560

Mannar District	30,079	37,933	13,650
Mannar Town	14,517	18,291	6,250
Musali	8,716	10,982	4,720
Nanattan	1,736	2,187	1,212
Manthai West	5,110	6,439	1,468

Mullaithivu District	3,816	5,304	3,040
Maritimepattu	2,852	3,964	2,560
Mullaithivu Town	690	959	480

Vavuniya District	6,764	8,876	4,845
Vavuniya Town & VST	2,973	3,895	2,233
Vengalachettikulam	3,655	4,788	2,612

Eastern & Northern Provinces

<u>371,405</u>	<u>432,310</u>	<u>94,200</u>
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The Tamil refugees voluntarily left the Northern and Eastern Provinces because of the Tamil Eelam war and went to India and other Western Countries. But the Muslims were forcibly evacuated by the Tamil Militants. The armed Tamil Militants gave only two days for the Muslims in the North to vacate their homes and leave. Muslim refugees had no place to go. None of the Muslim or Arab countries have accepted any Muslim refugees from the Northern and Eastern Provinces of Sri Lanka. They are undergoing untold hardships in the refugee camps, in the neighboring Provinces. Government security forces and the Rehabilitation Ministry were prepared to resettle the refugees but the armed Tamil militants are obstructing the Muslim refugees returning to their homes which are only 20 to 30 miles away from the refugee camps, whereas thousands of Tamil refugees are freely returning to the Northern and Eastern Provinces from India and other Western Countries and unlawfully occupying the properties of the Muslims with the help of the Tamil militants.

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 Muslim 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 report on assets of Muslim refugees was submitted to the Parliament in 1992 contained a detailed estimate of the losses suffered by these people. According to the estimates, the Muslim families have lost wealth to the tune of Rs. 5,408 million. Of this, a total of Rs. 2967 million would have been considered recoverable if Muslim families have been allowed to return to their homes immediately after their expulsion. The non-recoverable loss of the Northern Muslims is Rs. 2,441 millions.

Unlawful Occupation of Lands and other Properties of Muslims In the North – East

This is related to the forced eviction of Muslims from the Northern and the Eastern provinces. To a larger extent, it applies to Muslim-owned paddy lands adjoining predominant Tamil areas. Nearly 45,000 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 Muslim form 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 right to possession if his property is occupied by a usurper for 10 years. It is now 16 years since Muslims in the North have been forcefully displaced from their properties.

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, 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

Akkrapattu and massacre of Muslims at congregational prayer at Kattankudy and Eravur, as well as cold-blooded murder of Hajj pilgrims returning in 1990 in Kaluwanchikudi, demonstrate the extent of intolerance shown by the Tamil militants towards the religion and culture of the Muslims.

Ethnic Cleansing

The armed conflict between the Sri Lanka Government and the LTTE has led to ethnic cleansing of Muslims from the North East. The Muslims in the North-East have been caught in the middle of the civil war and it has been difficult to maintain their neutrality.

Details of the forcibly displaced Muslims from the North East 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
Ampara	110	523
Trincomalee	2,207	10,492
Batticaloa	343	1,631
<u>Total:</u>	<u>21,614</u>	<u>102,867</u>

The value of assets robbed by the LTTE during 1990 ethnic cleansing is more than Rs. 10,256 Million or US\$ 110 Million. The donor countries should put a condition for the LTTE to pay this amount to the forcibly displaced Muslims.

<u>Description</u>	<u>Quantity</u>	<u>Value in Millions</u>
Residential properties	22,000	5,500
Commercial establishments	2,402	2,100
Religious 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
<u>Total:</u>		<u>Rs.10,256</u>

Summary of identified Muslim Civilians Killed by 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 Muttur in October 1987
- * 21 Muslims were killed at Sammanthurai Mosque in April 1989
- * 67 Muslims were killed at Valaichchenai from April 1985 to July 2002
- * 67 Muslims were killed at Kattankudy in December 1987
- * 168 Muslims were killed at Kattankudy in July 1990
- * 147 Muslims were killed at Kattankudy Mosque in August 1990
- * 58 Muslims were killed at Akkaraipattu in July 1990
- * 14 Muslims were killed at Kattankudy Mosque in July 1990
- * 13 Muslims were killed in November 1989

- * 19 Muslims were killed at Alimnagar in August 1990
- * 126 Muslims were killed at Eravur in August 1990
- * 53 Muslims were killed at Ambalanthurai in August 1990
- * 23 Muslims were killed at Sainthamaruthu in September 1992
- * 15 Muslims were killed at Addalachchenai in May 1990
- * 37 Muslims were killed at Pallitthidal, Akbarpuram in October 1992
- * 200 Muslims were killed at Kalmunai, Akkaraipattu and Pottuvil in June 1990
- * 33 Muslim farmers were killed at Ampara in August 1990
- * 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 Cease Fire Agreement of 22nd February 2002.

On Thursday the 20th June, 2002; a Muslim three wheeler driver called Faizal was surrounded near the 64th mile in Muthur - Thoupur road and badly beaten by LTTE Ranjan and few others on suspicion of the damages caused to the concrete crosses in the Pachchainoormalai in Muthur. Faizal pleaded innocent and said that he had nothing to do with the damages to the concrete crosses. LTTE Ranjan is well known in the area because he is the one who collect taxes for the LTTE and issue receipts. When Faizal came home bleeding, his family members were provoked. They collected few others and went looking for Ranjan to the LTTE Office where he usually stays. For Ranjan's luck he was not there at that time. The Muslims caused some damage to the LTTE Office in retaliation for what LTTE Ranjan and others have done to Fizal.

On Friday the 21st June 2002 some LTTE cadres about 50 in number gathered with knives, sticks and iron bars close to the 64th mile post on Muthur – Thoupur road and harassed the Muslims. They blocked the road and did not allow any Muslims to go to or come from Muthur. This was in retaliation of the attack on the LTTE office by the Muslims in Muthur.

On Saturday the 22nd June 2002, Mr. K. M. (Thideer) Thaufeek, an SLMC Parliamentarian from Muthur met the LTTE local leader Ruban and discussed the incident in detail and requested him to take immediate steps to prevent the escalation of violence between the Tamils and Muslims and conduct a proper inquiry to find out who was really behind the incidents. LTTE Ruban did not show any interest to maintain peace in the area or to have an inquiry. The street block and the harassment of the Muslims by LTTE continued.

On Wednesday the 26th June 2002, a hartal was organized by the LTTE in the North East to protest over some incidents in Velanai – Jaffna by Government Security Forces and the attack on the LTTE office by the Muslims in Muthur. A procession with about 500 LTTE cadres started from Pachchainoormalai and came to Muthur.

Although it was said to be a peaceful hartal procession, the Tamil youths were carrying knives, sticks and iron bars 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. The Muslims co-operated and closed their 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 peaceful 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. Police imposed an unofficial curfew in the area. Although the violence in Muthur subsided, the area was tense as people left their homes and sought refuge in temples and mosques.

On Thursday the 27th June 2002, few Muslims Theologians “Ulemas” organized a meeting with some Catholic priests to maintain peace in the area. SLMC leader and Minister Hakeem also spoke to LTTE Pulithevan regarding Muthur crisis.

A peaceful hartal was organized by the North – East Muslim Brotherhood Movement and Muslim Students Union in the East to

protest over the LTTE attack on Muthur Muslims and unlawful extortion and abduction by the LTTE in the East. What worried the Muslims most is the extortion of money from the Muslims after the ceasefire agreement (MoU) in the areas under the control of the government and when complained the government did nothing other than a formal complain by the Peace Secretariat to the Norwegian government and Sri Lanka Monitoring Mission (SLMM).

In order to defy the hartal organized by the Muslims, the Tamils drove the buses from Tamil areas through Muslim Villages. These buses were stoned at Ottamawadi a predominant Muslim area. An ambulance went through Kattankudy was also attacked. Consequent to these incidents, violence erupted in Valachchenai between the Tamils and Muslims. LTTE abducted 12 Muslims and killed them. More than 100 were injured. 238 Muslim shops were burned and destroyed. 5 houses were also burned. The values of damages estimated to be well over a Billion Rupees.

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

On Sunday the 30th June 2002, two bodies were found by the police in Kalmadu Village in Valichenai. They were the two Muslim cooks who went to the house of a Tamil in Valichchnai, on Wednesday the 26th June, to prepare the wedding meals. The LTTE cadres have abducted the two Muslims killed and 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.



LTTE Military Camp in Kinniya, Kurangupanchan Mosque

The much talked about Kurangupanchan LTTE camp is not in Wan Ela area or Maniyarasankulam as reported in the Media. It is in the Government Controlled area Kinniya Divisional Secretary Divisions and about 14 km East of Wan Ela Tank and Police Station, 7 km South-East of Maniarasan Kulam and 12 km East of Katukuli Army Camp.

Kinniya Divisional Secretariat is about 146 sq. km in extent in the Trincomalee District and 16 km from Trincomalee Town. Nearly 59,469 Muslims 95% of the total population of 62,819 live here. Tamils are only 3,350 about 5% and no Sinhalese. According to the information available in the Divisional Secretariat Office there are 31

Grama Niladhari Divisions. Further, all the three Muslim parliamentarians elected for the Trincomalee District are from 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. 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 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.

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

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 by the LTTE and moved to Kinniya. Kiran (56) Majeedpuram (46) Kalladi Vedduvan (33) Vellankulam (53) Kallaruppu (13) Sungankuli (19) are some Muslim GS Divisions in the Kurangupanchan area. The displaced Muslims who lost their houses and fertile paddy lands became refugees and presently undergoing much hardships in temporary camps and in the houses of their relations. 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. Soon after this meeting LTTE chased

35 Muslims families resettled here and put up a camp in the Mosque building and objected any renovation. The media is maliciously suppressing the fact that the LTTE is forcibly occupying the areas of historical habitation of the Muslims in the Government controlled area.

The Kurangupanchan area is in the heartland of Kinniya. Muslims suspect a well planed agenda by the LTTE

1. To stop Muslims resettlement and use the Cease Fire Agreement - CFA to forcibly take over the areas of historical habitation of the Muslims to settle the Tamils in Kurangupanchan.
2. To continue abduction, extortion and taxation from Kurangupanchan Muslims

The Government Agent and the representatives of the Sri Lanka Monitoring Mission jointly had a meeting on Kurangupanchan Development Project on 06.06.2003. More than 200 Muslims participated in the meeting. In order to stop any development and the resettlement of the Muslims the LTTE has set up their unlawful Military Camp and abducted a Muslim, Mohamed Haniffa Abdul Latiff.

The unlawful erection of a military camp in Kurangupanchan is the most controversial issue discussed in the National and International media. The real ground situation regarding the historical evidence and the exact location of Kurangupanchan has created much confusion which is obstructing the resettlement of the forcibly displaced Muslims by the LTTE and the reconstruction and development of the area. The parties to the ceasefire agreement – GOSL, LTTE, the Norway facilitator and the International Donor countries should realize the violation of the ceasefire agreement in Kurangupanchan is denying the Muslims the benefit of the peace process. It is very unfortunate that even after four years of the ceasefire agreement; the living condition and the security of the Muslim people in the North-East continue to deteriorate.

Battle of Muthur 01-08 August 2006 - Ethnic Cleansing and Massacre of Muslims

Soon after midnight on Wednesday the 02nd August 2006, LTTE directed artillery and mortar fire at the Muthur Jetty. Army and Navy detachments at Kaddaiparichchan, Selvanagar and Mahindapura also came under attack.

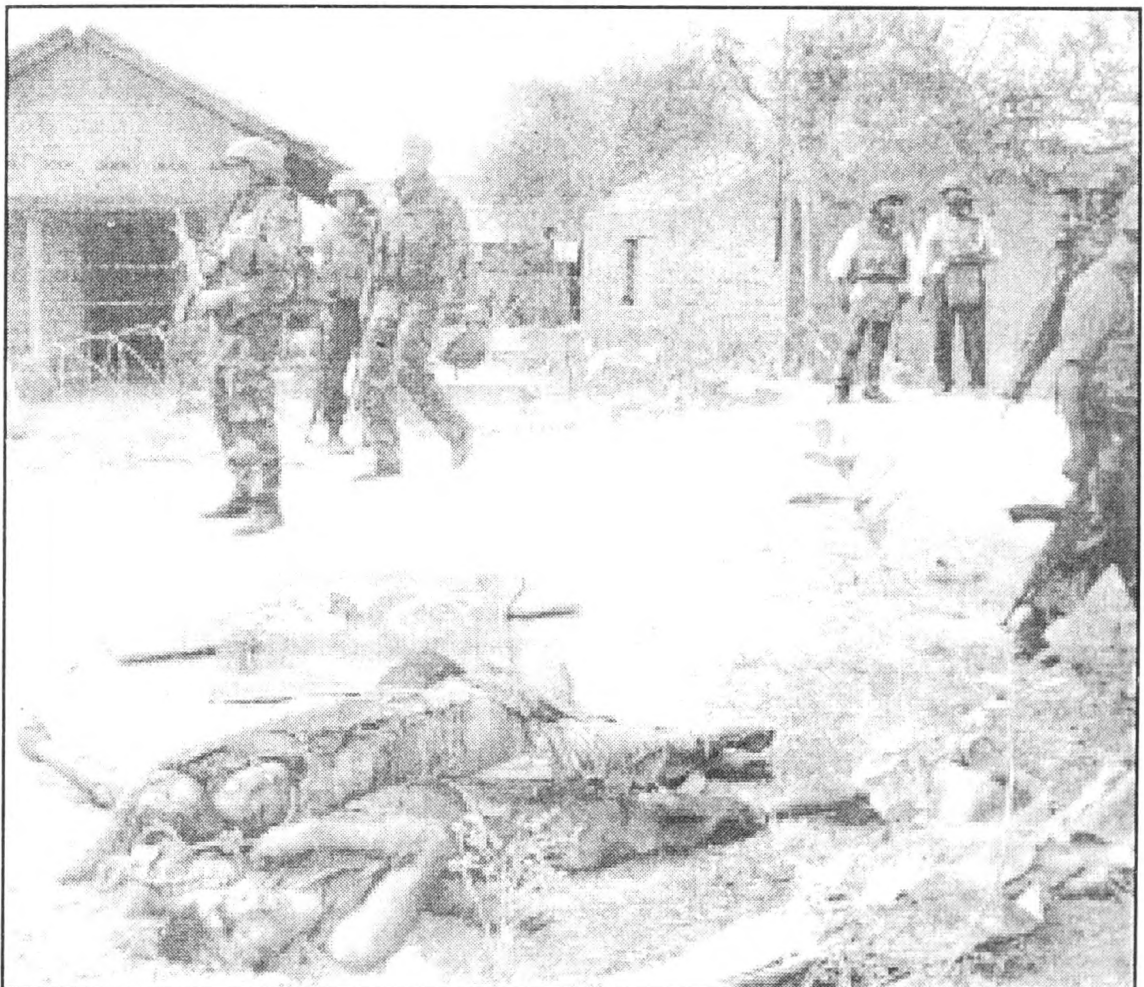
The guerrillas infiltrated Muthur from the western side of the town before the dawn. Police and security forces personnel on guard at telecommunications centre and the Bus Depot were forced to back out due to intense fire. The Naval detachment too was under fire together with the Muthur Jetty. By Thursday morning Air Force Kfir jets began bombing Sampur area whilst Mi 24 helicopter gun ships attacked Sea Tiger boats in the surrounding seas. The guerrillas initially prevented re-inforcements rushing in by blocking the Jetty and the entry points on the Kanthalai side.

By late Thursday afternoon 03rd August 2006 intense fighting continued in the Muthur area. Infantry companies moved in, one from the Pachchanoor side to fight their way through. The guerrillas began to dominate parts of Muthur throughout till Friday morning. Another infantry company inducted the previous night fought their way to seize control of the Muthur town. The guerrillas backed out but continued to remain behind civilians who had gathered at several points. Later in the day they began to take full control. The LTTE operations in Muthur were led by Muttuselvi and Kunjan.

The LTTE attempt to gain a contiguous stretch of land from Sampur southwards, a move that would have crippled the working of the Trincomalee Port, was thus thwarted. Such a move would have had very disastrous consequences. This port is the lifeline for some 40,000 security forces personnel and policemen deployed in the Jaffna peninsula. It is from this port that they embark or disembark when

they go on leave from the North. Military and food supplies to the north are also moved from this port.

LTTE attacks to seize control of Muthur and adjoining areas were a failure. But the guerrillas still won in one aspect. They succeeded in creating a mass exodus of Muslim civilians from Muthur. More than 40,000 are now in temporary shelters in Kanthalai and other areas. At least 20 of them were killed in artillery and mortar fire. The Government and the LTTE traded allegations against each other over these attacks. The matter came up for discussion at a special meeting of the National Security Council on Friday 04th August 2006.



Without doubt, many a major attempt by the LTTE in the recent months has come a cropper. The latest was the attempt on the Navy's passenger ferry and the attack to take control of Muthur and surrounding areas.

With the exit of renegade Eastern leader Karuna (Vinayagamoorthy Muralitharan), it is clear the LTTE has not been able to effectively strengthen its military strike capabilities in the East. This is a contributory cause for its failure although the LTTE in an unusual move, declared its action in Muthur was a defensive one to “protect civilians” and announced it had withdrawn from the area. Indeed it has, but against all its wishes to remain on the ground. Their grand design failed. However, this does not mean the LTTE would give up.

“Inadequate precautions to protect civilians” - Amnesty International

“Amnesty International is concerned by the extent and seriousness of the violations reported, the lack of adequate protection for civilians, and restrictions on access to the war affected areas,” it stressed.

The organization called for the establishment of a strong and effective international human rights monitoring operation “to respond to the dramatic deterioration of the human rights and humanitarian situation”. Such a monitoring mission must have the full cooperation of both the government of Sri Lanka the LTTE, and the support of the United Nations and its member states.

On 6 August, the bodies of 15 aid workers with the French aid agency Action Contre la Faim were discovered lying face-down on the front lawn of ACF’s Muthur office, with bullet wounds indicating that they had been shot at close range. The bodies of two more staff members were found on 8 August in a car nearby, indicating that they may have been killed while trying to escape. The government has invited an Australian forensic expert to assist with the investigational truce monitors.

A roadside bomb reportedly hit an ambulance killing five people – a medical doctor, his wife, two nurses and the driver of the ambulance. This incident occurred in LTTE controlled territory.

SLMC Leader Rauff Hakeem debate Muthur Muslim issue in Parliament

On a motion moved by Sri Lanka Muslim Congress (SLMC) leader Rauff Hakeem, parliament had a day long debate on Muthur Issue.

The problem of displaced persons was the focus of attention during the parliamentary debate.



It was the plight of the displaced Muslim refugees from Muthur that drew the most amount of concern.

It appeared that everyone wanted peace unfortunately the methods of achieving it were at variance.

The JVP and the JHU continued to stress the need for the government to adopt a hard-line stance when dealing with the LTTE while the UNP wanted the government to work harder towards resolving the conflict by negotiations.

While the majority of those affected by the violence in Muthur being Muslims, the SLMC leader called for a cessation of hostilities on both the sides saying it was the civilians who were suffering because of the war.

“All the peace loving people in Sri Lanka have come to realize that both the government and the LTTE continue to make sanctimonious pronouncements supposedly with the objective of respecting the humanitarian needs of the people. In real terms their objective is to pursue a relentless military option totally disregarding the sanctity of life and limb of innocent civilians,” an angry Mr. Hakeem said.

Mr. Hakeem said Thamilselvan should be held responsible for the incident which took place in Kirandimur, where the LTTE forcibly detained fleeing Muslims during the clashes in Muthur.

“The rights of the Muslims have been violated in Muthur, Compromising the rights of Muslims will create a fertile ground for radicalization of Muslims,” he said. Citing history, he said the UNP government in 1990 was also not able to protect the Muslims in the North. However, he believes President Mahinda Rajapaksa will fulfill his word and will make arrangements to resettle displaced Muslims. “We believe the President’s words which said that Muthur Muslims will not be allowed to remain as displaced persons,” he added.

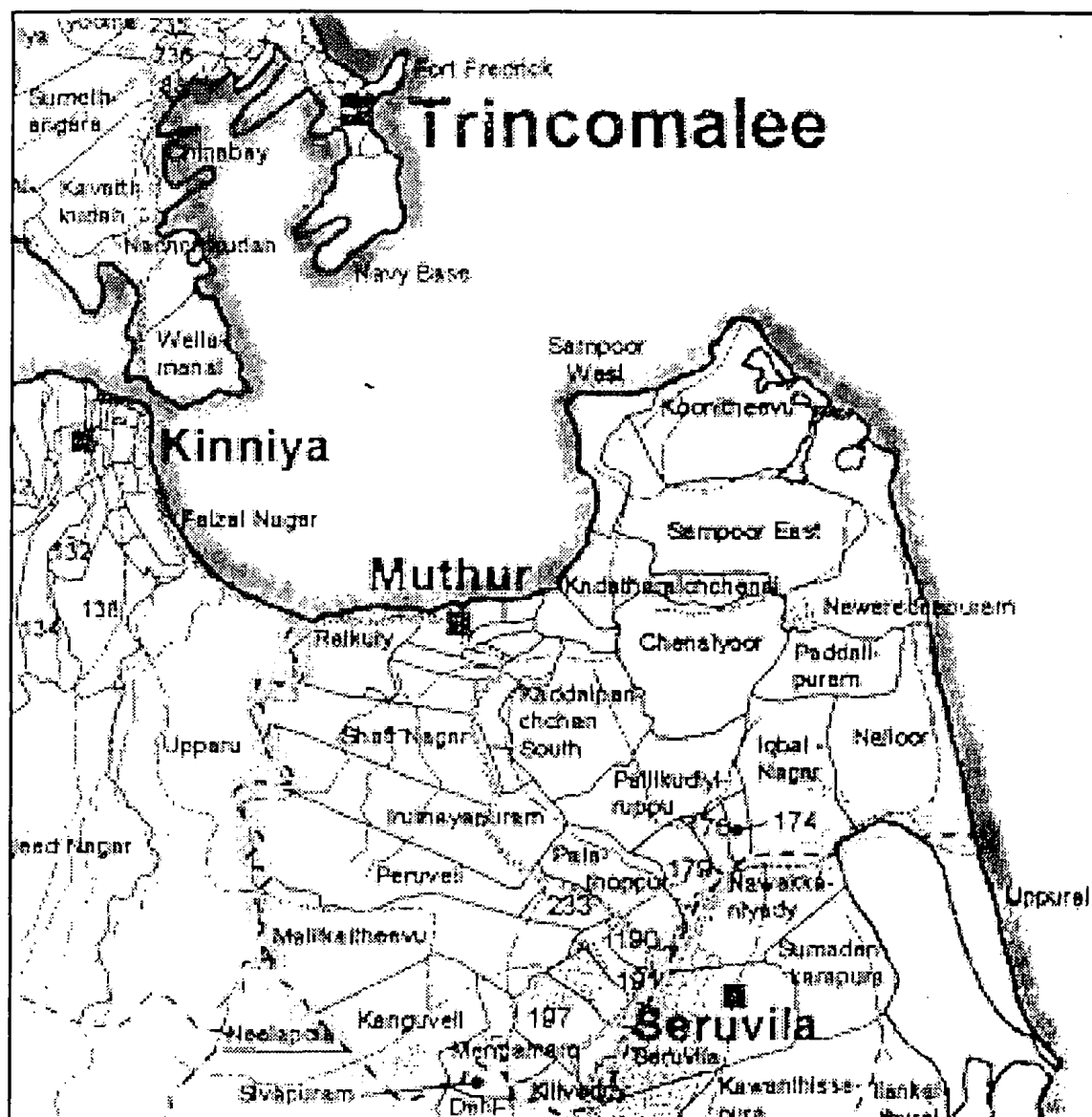
He called for the ceasefire agreement to be reviewed as a means of strengthening it to address the legitimate concerns of all the stakeholders. Mr. Hakeem also accused the LTTE of meeting out inhuman treatment to Muslims who were fleeing Muthur to escape the fighting there.

“The thousands of Muslims who left Muthur on an assurance by the LTTE that no harm would be caused to them if they chose to leave were subjected to such harassment and cruelty resulting in the Muslims realizing that as in earlier instances, the LTTE’s assurances could not be trusted anymore,” Mr. Hakeem added.

Muslim Security Compromised.

In terms of the CFA it is the Government of Sri Lanka that is responsible for the protection of Human security particularly in government controlled areas. The events that unfolded in the recent past reiterates the SLMC’s repeated call that the CFA must be reviewed and strengthened to address the legitimate concerns of all stakeholders and ensure security of the civilian population at all times.

SLMC Said that it is also our considered view that these incidents cannot be seen in isolation and need to be viewed together with the events of the recent past including the notices that were distributed in Muthur area calling the Muslims to vacate the areas. It is also pertinent to analyze as to whether the Government of Sri Lanka has unwittingly been turned into a trap, where it could easily be accused of triggering the exodus of the people of Muthur or have the radical elements clamoring for war as the solution to the ethnic problem skillfully achieved their objective of putting the Muslims against the Tamils.



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 had removed around 400 security forces personnel 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 force. 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 the LTTE.

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



Since Muthur was totally surrounded by LTTE, the town could not function normally. Business came to stop. People did not have means to acquire their daily food, children suffered without

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

If this situation continued all of them would have died either by hunger or by shells. Therefore decided to leave Muthur. Though they received repeated assurances from the army that they will be protected and asking them not to vacate Muthur, there was no protection forthcoming. Therefore the Muslims lost hope both in the government and the army and left for Kanthalai and Kinniya.

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

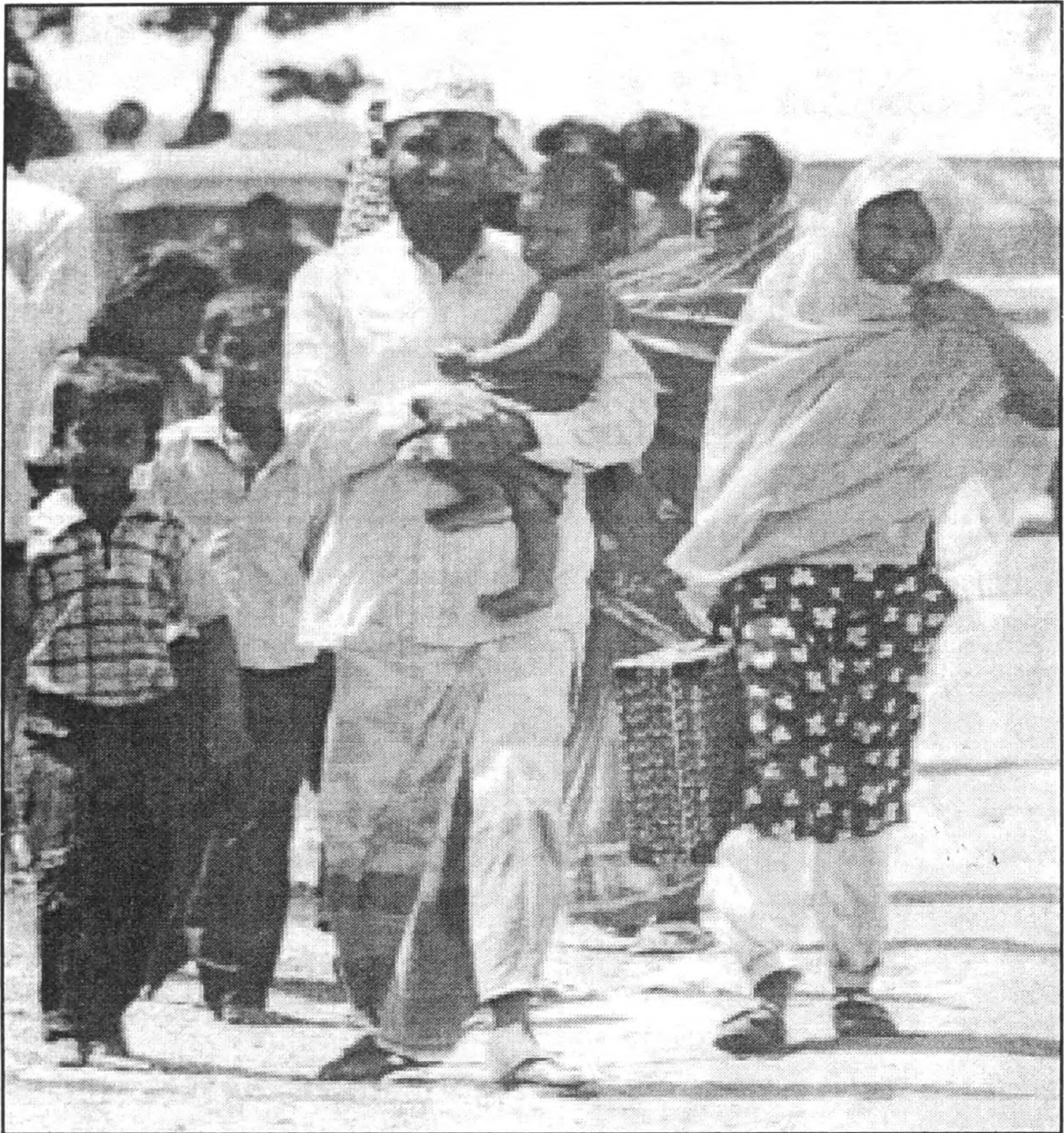
Trincomalee is almost the core of the power structure in the North and East and whoever is in control of the area will have the upper hand since it's the transit point between the North and East. Whoever wrests control in the area will have a say in the final solution – be it military or political.

The LTTE knew the importance of this place, infiltrated into the neighbourhood of Mavilaru since mid 1985 with the long term plan of taking control of the Trincomalee Harbour area.

Before the signing of the Ceasefire Agreement in February 2002 it was the Sri Lankan security forces that were in control of the Mavilaru area.

After infiltrating into the area, the LTTE used the area to monitor the activities in the Trincomalee harbour, where troops

and cargo have been transported through the ships to the North, since 1985.



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

They also attacked the Trincomalee Naval base using 122mm and 130mm, artillery guns and mortars from Sampoor area. These heavy weapons which have the capacity of about 20

kilometers range were captured from the military during the Mullaitivu and Elephant Pass debacles. Now for the first time in the East, the LTTE had used these weapons to attack the government military.

The attacks from these mass destructive heavy weapons remain the biggest challenge to the security forces carrying out operations in the Southern and Eastern parts of the Trincomalee district. Any mass movement of the security forces have been largely obstructed by these powerful big guns. Despite the aerial bombardment that had been going on at regular intervals for nearly two weeks, the Air Force is yet to destroy these guns.

The Tigers launched a fierce attack on three main army camps in Trincomalee – Kattaparichchan, Gandhinagar and Thoppur last week.

They also stormed into the predominantly Muslim areas in Muthur in a bid to take control of the township that had throughout been under government control. Though the security forces faced some setback initially with this unexpected attack, within 72 hours they managed to take full control of the area. The LTTE lost nearly 300 cadres including a large number of female cadres in the battle for Muthur.

More or less a similar number of Muslim civilians too got killed, caught in the crossfire, with majority of deaths reported due to LTTE firing.

If the previous governments had the common sense to realize the gravity of abandoning strategic locations, it would have saved this totally unwarranted loss of life and waste of money.

Though the government forces have managed to establish control in most of the areas, the LTTE is capable of launching

such type of attacks in the future as their fighting cadres still hang around in the neighbourhood.

LTTE had it's eyes on Muthur for a long time for they considered Muthur harbour to be an important place but because of the presence of the Muslims have found it difficult to capture this area. Therefore LTTE was keen on chasing the Muslims from Muthur.



This is the reason why there were continuous attacks, strikes and murders causing much loss to the lives and properties of Muslims of Muthur. Many times leaflets were distributed by the LTTE threatening the Muthur Muslims to vacate their homes, but the Muslims of Muthur were not scared and they did not evacuate the area. They were determined to stay in the land which is rightfully their.

The Army was not serious about the security of the Muslims. There were many instances where the Muthur fishermen were badly treated by the Army.

When Muthur Muslims expressed their concerns about the threats of LTTE, Muslim political leaders, made a mockery of

it. They believed Tamil leaders' assurance that there will never be a repetition of what happened to the Northern Muslims.

The CFA has become a dead letter with both parties violating it with impunity while regular ethnic cleansing of the Muslims takes 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 openly committing war crimes while innocent civilians were fleeing Muthur. 'Both parties while making pronouncements about being committed to peace, the CFA and human security have brought the country towards the brink of all out war.



The government in the initial stage was not prepared to deal with such a mass exodus and had difficulty in dealing with the situation.

The government had no warning. Knowing that there was an impending crisis in Muthur developing, the disaster

preparedness of the government agencies leaves a lot of suspicions. In fact, their lack of preparedness was a disaster.

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

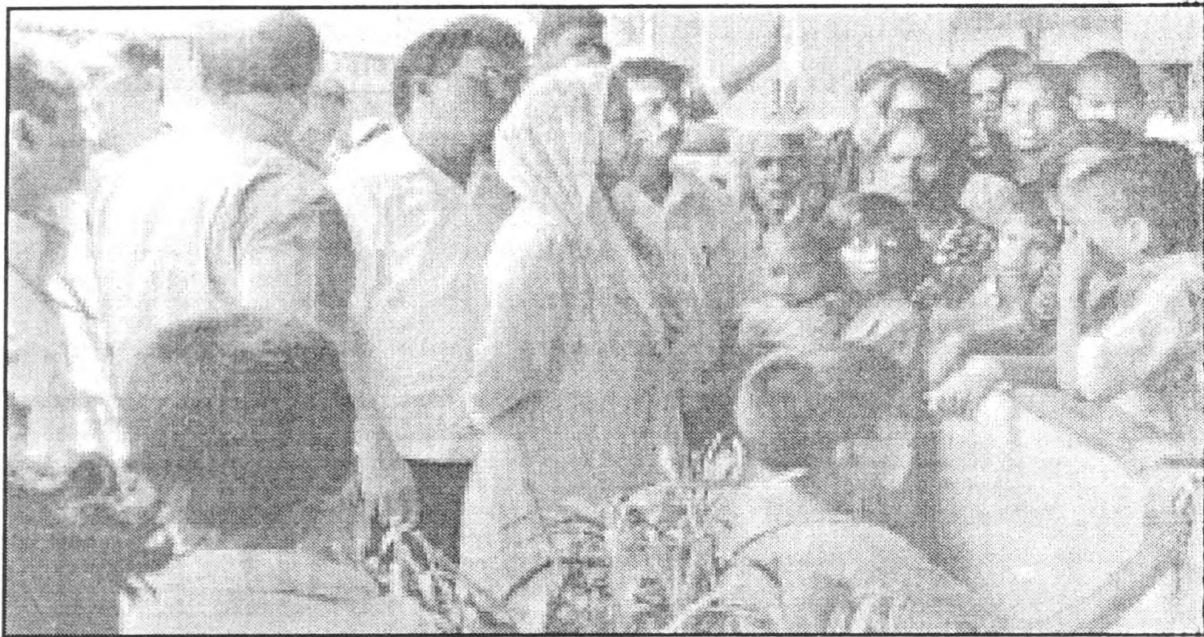
Would either party have chosen this mode of relentless artillery attack that drove people away if their own respective communities were inhabiting the area under attack? The armed forces showed no respect for human security when spraying artillery and similarly, LTTE committed atrocities of the worst order in Karandamunai when they were fleeing in mortal fear.

There is absolute ethnic cleansing by the LTTE. It has been so since the mid 80's, when several Muslim villages had been abandoned.

On the question of launching operations, the military strategists are repeatedly committing the mistake of providing insufficient security to Muslim dominated pockets. The authorities have approved that they are not committed to safeguarding the rights of the Muslim community that has always been at the receiving end.

Internally Displaced Peoples - IDPs
Muslims from Muthur, Thoppur & Palaththoppur
During Ethnic cleansing by LTTE - 01 - 08 August 2006

S. No	Names of Refugee Camps	Displaced Population	Displaced Families	Male	Female	Children	Injured	Pregnant Mothers	Feed Mothers	Widows on Iddah	Death	Missing
Kanthalai												
1	Al Thariq MMV	6,333	1,702	2,490	3,843	997	78	151	363	9		
2	Aysha Ladies College	5,853	1,575	3,111	2,742	795	10	30	150		26	
3	As Shaffa	902	245	429	473	54		5	12	35		
4	Pearathuweli MMV	5,025	940				100	493	300			
5	Ar Rauff	1,500	250	645	855	62	15	15	25	1	7	
6	Al Muheera Thakkiya	1,490	335	752	738	194		13				
7	CSA1		110									
8	Akrabothi Pansala	1,073	376	419	654	132		9	4			
9	Gernunu	86	21									
10	Thop 1	1,061	378									
11	Zahira	1,400	324									
12	Maruthamunai Camp	1,010	262									
13	Ikram Refugees' Camp	326	75	155	171	164		8	36	12		
	Sub total	26,059	6,593	8,001	9,476	2,398	208	731	913	22	33	
Thampalakamam - Mullipoththana												
14	Al Hira M.V.	3,305	665	1,614	1,691	239	47	28		1		
15	T/Siraj M.V	1,883	406	946	937	633				1		
16	T/Buhari MV	1,227	313	624	603	184	17	10	43			
17	Buhari Mosque	879	227	393	486	234	1	15	51			
18	Hameedia MV	217	60	101	116	37	1	5	15			
19	Fathima MV	418	89	198	220	52	1	5	15			
20	Sams MV	372	83	191	181	124	5	7	25			7
21	Dharussalam MV	327	75	141	171	115	4	18	13	1		
22	95th Mile Post	571	162	287	284	73	4	15	21			
23	Al Hikma V	653	179	328	325	84	4	17	24			
	Sub total	9,852	2,259	4,823	5,014	1,775	84	120	207	3		7
Kinniya												
24	Al Mujahitha Vid	131	39	69	62	11		3	2			
25	Al Aksha MV	943	255	474	469	116	6	25	40			
26	Sahthiya Arabic Col.	172	37	98	74	30	14	4	6			
27	T/Vipulanantha Vid	165	47	72	93	22	5	6	5			
28	T/Kurichakerny Girls Vid	117	28	59	58	15	4	3	4			
29	T/Buhari Vid	225	75	113	112	31	8	6	9			
30	T/Alalenkery MMV	219	79	110	109	28	9	6	8			
31	Vellimani Madena V	243	106	121	122	31	7	9	9			
32	Friends & Relatives	467	122	237	230	115	54	12	17			
33	Friends & Relatives	630	167	270	258	55	6	16	23			
	Sub total	3,312	955	1,623	1,587	454	113	90	123			
Trincomalee												
34	Trinco Town	300	80	143	157	37	8	8	13			
Madatugama Dambulla												
35	Mualim School	125	33	76	49	21		6	21			
	TOTAL	39,648	9,920	14,666	16,283	4,685	413	955	1,277	25	33	7



Meeting of the Consortium of all the Jamiyathul Ullama Sabahs in Eastern Province

A meeting arranged by the Consortium of Jamiyathul Ullama Sabahs in the Eastern Province took place in Santhankerni in Kalmunai on the 16th August 2006 to draft a resolution named “Muttur Declaration” and also to hold a Seminar on Peace. The Muttur Declaration is expected to be forwarded to all Foreign Diplomats serving in Sri Lanka to enlighten the suppression and discrimination against the Muslim community in General and specially in the Eastern Province. Special emphasis is to be made on the sufferings of the Muslim community in Muttur who had to leave their dwellings where they have been living for ages and leaving behind all what they could call their own with only the clothes they were wearing. The meeting has been widely advertised in all places where Muslims are living. Representatives from all the districts are expected to attend the meeting and participate in the seminar.

Harthal and Peace Rally in Ampara

A Harthal staged in Muslim areas of Ampara on the 16th August 2006 in response to the hand bills distributed by the Federation of all Mosques in the Eastern Province calling for a Harthal. Around 15 000 people

had participated in the peace rally held in Kalmunai. A leaflet carrying their demands had been issued at the rally. The statements are as follows;



Muthur Declaration

- We vehemently condemn the LTTE for making a historical error in their struggle for freedom by causing a forcible vacation of Muslims from their traditional residences in North and again in Muttur and Thoppur.
- We urge the government to take meaningful action to resettle the Muslim refugees in their own historical habitats before the end of the year 2006 and repeatedly request the LTTE to cooperate to the resettlement efforts by the government.
- We urge the government to immediately appoint a Commission comprising of three retired Supreme and Appeal court judges to inquire in to the affaires that led to the massacre and forcible eviction of Muslims and submit a report and to publish it in print and electronic media after submitting the report.
- We urge the NGOs and Human Rights Organization to take the issue of massacring of innocent civilians in to the international community.

- We request the LTTE and the government to recognize the just and equitable rights to eternal self determination of Muslims in the North and East.
- We request the LTTE and the government to resolve the national issue and find a lasting solution through a negotiated settlement.

Resettlement of Internally Displaced Muthur Muslims

Many internally displaced Muthur Muslims complained that the Government had failed to ensure a livelihood package for them to restart life in the crisis-ridden town, in a peaceful environment. There is hardly any sign of rebuilding of the devastated houses, religious places, hospitals and schools, despite repeated assurances by top Government Ministers, to start the resettlement process within a month.

These displaced people of Muthur are now taking shelter at 35 camps in Kanthalai, 69 kms away. They make daytime visits to their homes to see the devastation caused by the hostilities.

Buses are plying to Muthur. The supply of electricity and water has been restored. But, people go there only to see the ruined town, as the authorities concerned, have failed to instill confidence about their security. Their belongings have been stolen after they fled in haste.

According to the Kanthalai Divisional Secretariat, only 1000 people have returned to Muthur and the town remains a ghost town, despite the presence of soldiers at certain localities. The visible presence of the security forces, in the riot-hit areas, would not serve the intended purpose, as people fear to live under such circumstances. He stressed the need to station the security forces along the perimeters of the villages, without jeopardizing their lives in a possible crossfire.

The violence that ravaged the area has not even spared places of religious worship as mosques in Muthur, Thoppur and other areas have been damaged by shelling.

The Government's intervention is minimal, in the resettlement process and people still live in deplorable condition in the refugee camps, depending on assistance from volunteer organizations.

Government's pledge for resettlement, would not materialize, unless action is taken on ground reality. People were quite willing to go only if their livelihood is restored with adequate security.

The international community should intervene to address issues of this nature right now, as otherwise, the Muslim youths would become radicalized in the context of being victimized both by the Government and the LTTE.

Mr. Hakeem was seen surrounded by emotionally charged people, along with weeping mothers, who begged him to make arrangements for their immediate resettlement and restoration of their livelihood, before the holy month of Ramazan, which falls end September.

Security arrangement in Muslim area in the East

Muslims demand His Excellency the President Mahinda Rajapakse to implement immediately the most important Election pledge given to the Muslims in the Mahinda Chintanaya regarding security for Muslims in the Eastern Province.

The most effective way of achieving this objective will be by:

1. Recruiting sufficient number of Muslim Youths to the Sri Lanka Police force and deploying atleast 75% Muslim police personnel in each police station in predominantly Muslim areas in the Eastern Provinces with a Muslim D.I.G. in charge and Muslim SSP's, SP's, ASP's and OIC's so that the entire chain of command have full power to take all decisions with respect to security threats in Muslim areas. It has been amply proved in the past Muslim OIC's in charge of police stations who have ably resisted LTTE attacks and safeguarded the Muslim in their respective areas with admirable courage and bravery.

2. Instead of a separate Muslim Battalion, Muslims should be enlisted to the regular Sri Lanka Army to serve in any battalion and in any part of the country. This can only be achieved successfully if arrangements are made for their religious obligations namely:
 - a) Five times prayers and Friday Jumma Prayers
 - b) Providing Halal food
 - c) Arrangements for fasting during Ramazan
3. Vigilance Committees to be established in all Muslim areas to prevent strangers infiltrating.
4. Warning mechanism to be installed in strategic points in vulnerable Muslim areas.

The above suggestions if implemented will not only address the all important Muslim security in the East but also help promote better understanding and harmony among the different ethnic groups in Sri Lanka.

President orders speedy relief for Muthur victims

President Mahinda Rajapaksa has implemented a speedy relief scheme for those displaced due to LTTE violence in Muthur.

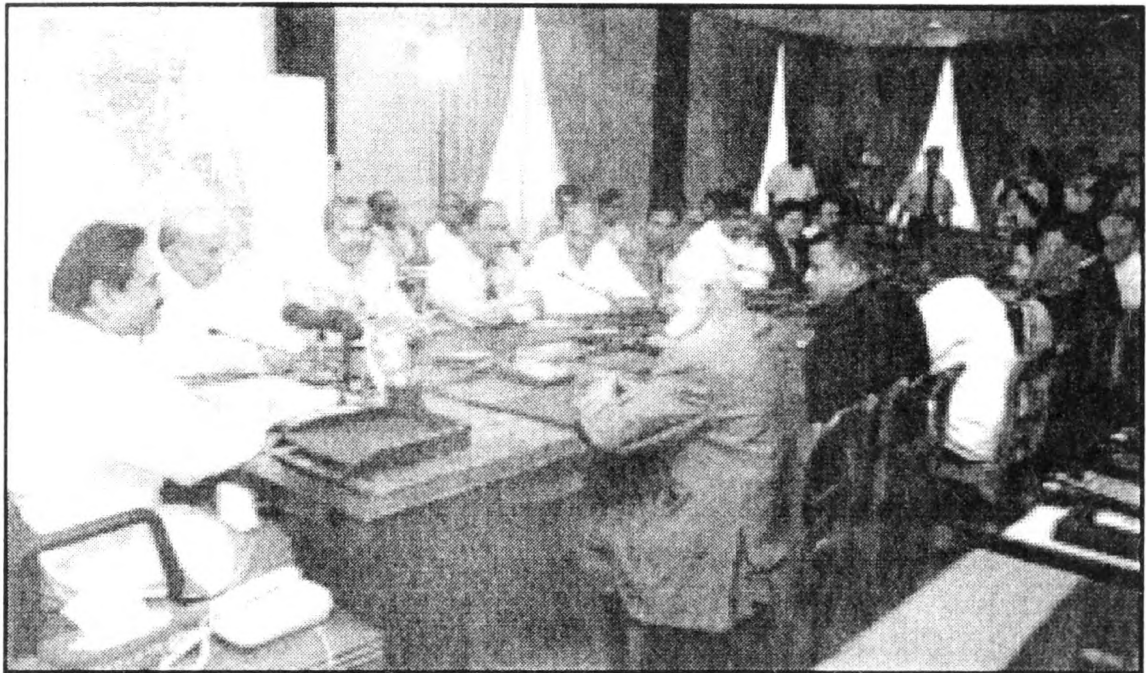
Following a presidential directive, all ministries were requested to assist in the scheme to provide temporary shelter, food, health, security and other facilities to the victims.

Already the Ministries of Disaster Management, National Integration, Social Services and the North Central Provincial Council have coordinated with other agencies to provide food commodities and other relief measures to the tune of rupees 10 million, a communique from the Presidential Secretariat stated.

In addition dry rations, temporary sheds, bed-linen and hospital equipment have been despatched to the affected areas with doctors, nurses and health workers added to the existing staff.

The government has also sent surgeons and required blood to perform surgery in hospitals of those areas.

A ministerial team comprising A.H.M. Fowzie, Anwer Ismail, Rishard Baduideen, Abdul Majeed, Amir Ali, Hussain Baila and A. L. M. Athaulla visited the affected areas yesterday 05th August 2006 with officials from the North Central Province to meet the needs of the affected people. The government also appeals to NGOs to help in the humanitarian causes of these displaced persons.



While calm returned to Muthur with the Security Forces in full control of the area the Government set in motion a massive relief programme to provide immediate succour to the thousands of displaced civilians.

A massive assistance programme has been put in place by the Government to provide food, temporary habitation and other urgent requirements needed for thousands who have fled Muthur and have arrived at Kanthalai, Kinnia and other places.

The high level aid-team has been set up on President Mahinda Rajapaksa's direction. Minister A.H.M. Fowzie has been appointed to co-ordinate and supervise all relief work.

A Special Relief Centre has been set up jointly by the Disaster Management Ministry headed by Minister M. S. Ameer Ali and Re-settlement Ministry headed by Rishad Bathiudeen at the Divisional Secretariat, Kanthalai and this centre is operating from the first day when the displaced people began to arrive in Kanthalai.

Divisional Secretary Sirimewan Dharmasena is co-ordinating relief activities from this centre, assisted by all other officials and Gramasevakas of the Division.

At a high level conference presided over by Minister Fowzie at the Kanthalai DS Office, decisions were taken to receive all food items and other donations, which will be stored at the co-operative stores and the sugar factory stores in Kanthalai.

Governor S. Alavi Mowlana, Ministers Abdul Najeer Majeed, Rishad Bathiudeen, M.S. Ameer Ali, A. Hussain Bhaila, Deputy Education Minister Nirmala Kotelawala, Presidential Advisor A. H. M. Azwer, North Central Province Chief Minister Berty Premalal Dissanayake, former MP W.D.K.S. Gunawardana, Moulavi Abdul Kareem and several other local leaders attended this conference.

It was revealed at this conference that centres have been established at several Muslim Schools - Al-Tariq - Aysha, As-Safa Al-Rauf, Al-Naja Madrasa, Peratuwali. The displaced people are also accommodated at Agrabodhi Viharaya and Seruwila Rajamaha Viharaya (Kavantissapura Vidyalaya).

Mr. Azwer told the displaced people that the President Rajapaksa has directed this special Ministerial Team to remain in the area and co-ordinate and supervise relief work to the satisfaction of all.

“The President is also very keen that speedy action should be taken to re-settle all the people in their original places of dwellings, and he



Fowzie appealed to all Muslim Organisations and other voluntary institutions to deposit at the Kanthalai Divisional Secretariat all food items and other donations so that it would be convenient for the Relief Centre to distribute them to the displaced people evenly.

Ministers Mahinda Samarasinghe and A.H.M. Fowzie flew International Organizations and several others to Kanthalai to further supervise relief work and report back to the President yesterday morning.

3. LAND AND PROPERTY RIGHTS OF NORTH EAST MUSLIMS

Muslim villages in the North East are interspersed with a Tamil village and vice versa. Substantial share of agricultural lands owned by the Muslims are adjacent to the Tamil villages.

There have been intermittent clashes over the years on comparatively trivial issues such as Muslim farmers being harassed by Tamils when they pass through Tamil areas, waylaying of vehicles, robbing of paddy and cattle belonging to the Muslims. 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 about 490 locations in the North East where the Tamils are forcibly occupying about 100,000 acres of agricultural lands belonging to more than 40,000 North East Muslim Families.

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.

Mr. M.I.M. Mohideen, the Chairman of Muslim Rights Organization, who participated in the peace talks as an advisor to SLMC National Leader Minister Rauf Hakeem, had substantive discussions with the members of the LTTE team and came to a good understanding of the



problems. The LTTE was prepared to seriously address the issue and requested that a register of Muslim claims be prepared which would then be subject to verification. Subsequently Hon. Rauf Hakeem the leader of the Sri Lanka Muslim Congress had requested Mr. M.I.M. Mohideen to prepare a register of Muslim Lands forcibly occupied by the Tamils. Dr. Kumar Rupesinghe the Chairman of the Foundation for Co-Existence provided support and guidance and facilitated the programme. The Muslim Rights Organisation had undertaken the survey with the following objectives.

- Systematically enumerate the land claims of the Muslims in the North-East by visiting each location in the 8 districts.
- Prepare a register based on field investigations on a professional basis.

The registration exercise involved the distribution of 40,000 forms and folders by nearly 60 Village Enumerators, 8 District Coordinators and 8 Assistant District Coordinators, who were the residents in the areas concerned. They have filled the comprehensive questionnaire with regard to individual claims, the actual date of the acquisition, the manner in which the land was taken over, the extent of the land, their deeds, permit or any other documents to the land. Details of buildings, machineries and livestock kept in the properties are some of the other informations which have been recorded. The Muslim Rights Organization had obtained the assistance of the North East Muslim Peace Assembly, the Ullemas - Muslim Theologians and the Trustees of the Mosques in predominant Muslim areas in Ampara, Batticaloa, Trincomalee, Jaffna, Kilinochi, Mannar, Vavunia and Mullaitheevu Districts of the Northern and Eastern Provinces. Forms and folders were collected, checked case by case and attested by Justices of Peace. The information collected were fed in to the computer and documented.

The project was funded by USAID – OTI and Cordaid of Netherland and covered a period of 12 months.

There is no doubt that in many instances these land claims will be the subject of mediation. However, as a first step the register of land claims lays the basis for mediation.

The resolution of the land question in the North-East would benefit more than 40,000 families – 125,000 men, women and children 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 OF SRI LANKA

AMPARA DISTRICT

	Predominate Muslim Areas	No. Cases	A	Extent 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

	Predominate Muslim Areas	No. Cases	A	Extent 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

	Predominate Muslim Areas	No. Cases	A	Extent 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

	Total No. of Cases	A	Extent R	P
	14872	62670	-	33

**MUSLIM LANDS FORCIBLY OCCUPIED BY THE LTTE 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

**MUSLIM RESIDENTIAL HOUSES DESTROYED BY THE LTTE AFTER THE
ETHNIC CLEANCING OF MUSLIMS IN OCTOBER 1990 FROM THE
NORTHERN PROVINCE**

District	DS Division	Cases	1990 Value	Rebuilding Cost 2004
Mannar	1.Mannar	2,328	415,530,090.00	746,700,875.00

	2. Musali	2,725	335,612,675.00	671,618,600.00
	3. Manthai west	863	179,271,860.00	310,948,300.00
	4. Madu	257	30,291,700.00	68,650,100.00
	5. Nanattan	252	34,637,100.00	63,155,000.00
	Total	6,425	995,343,425.00	1,861,072,875.00
Jaffna	1. Jaffna	1,313	483,374,750.00	902,285,368.00
	2. Chavekachcheri	44	10,677,000.00	18,683,000.00
	3. Island south	29	2,948,000.00	6,325,000.00
	4. Vadamarachi north	1	160,000.00	200,000.00
	5. Valikamam north	1	100,000.00	200,000.00
	6. Valikamam south-west	3	600,000.00	1,700,000.00
	Total	1,391	497,859,750.00	929,393,368.00
Kilinochchi	1. Poonakari	97	15,331,500.00	41,855,000.00
	2. Karachchi	132	36,364,000.00	84,163,000.00
	3. Pachchilaipalli	7	485,000.00	1,210,000.00
	Total	236	52,180,500.00	127,228,000.00
Mullaitheevu	1. Maritimepattu	936	148,795,850.00	282,257,850.00
	2. Puthukudiyiruppu	16	1,565,000.00	2,243,000.00
	Total	952	150,360,850.00	284,500,850.00
Vavuniya	1. Vavuniya south	881	110,984,337.00	201,725,000.00
	2. Venkalachchettikulam	1,225	112,548,955.00	107,410,050.00
	Total	2,106	223,533,292.00	309,135,050.00
NORTHERN PROVINCE TOTAL		11,110	1,919,277,817.00	3,511,330,143.00

MUSLIM PROPERTIES ROBBED BY THE LTTE DURING THE ETHNIC CLEANCING OF MUSLIMS IN OCTOBER 1990 FROM THE NORTHERN PROVINCE

District	DS Division	Cases	1990 Value	2004 Value
Mannar	1. Mannar	2,874	504,558,310.00	1,053,787,449.00
	2. Musali	3,022	623,219,525.00	1,288,520,895.00
	3. Manthai west	1,060	267,902,930.00	515,468,547.00
	4. Madu	263	33,633,210.00	73,796,700.00
	5. Nanattan	288	52,408,470.00	93,437,595.00
	Total	7,507	1,481,722,445.00	3,025,011,186.00
Jaffna	1. Jaffna	2,262	660,977,395.00	1,203,641,691.00
	2. Chavekachcheri	104	19,713,738.00	37,358,004.00

	3. Island south	41	4,103,350.00	10,122,350.00
	4. Valikamam north	3	1,545,000.00	3,725,000.00
	5. Valikamam south-west	10	2,876,000.00	6,178,500.00
	6. Valikamam east	2	2,371,000.00	5,026,000.00
	7. Vadamarachi north	5	2,268,400.00	6,065,000.00
	8. Nalloor	3	752,750.00	1,759,000.00
	Total	2,430	694,607,633.00	1,273,875,545.00
Kilinochchi	1. Poonakari	122	28,700,000.00	61,246,025.00
	2. Karachchi	184	38,755,335.00	81,396,250.00
	3. Pachchilaipalli	10	716,000.00	1,534,700.00
	Total	316	68,171,335.00	144,176,975.00
Mullaitheevu	1. Maritimé pattu	1,040	231,619,498.00	526,196,495.00
	2. Puthukudiyiruppu	20	2,268,650.00	4,506,950.00
	Total	1,060	233,888,148.00	530,703,445.00
Vavuniya	1. Vavuniya south	954	153,434,559.00	296,647,400.00
	2. Venkalachchettikulam	1,415	206,853,541.00	289,499,944.00
	Total	2,369	360,288,100.00	586,147,344.00
NORTHERN PROVINCE TOTAL		13,682	2,838,677,661.00	5,559,914,495.00

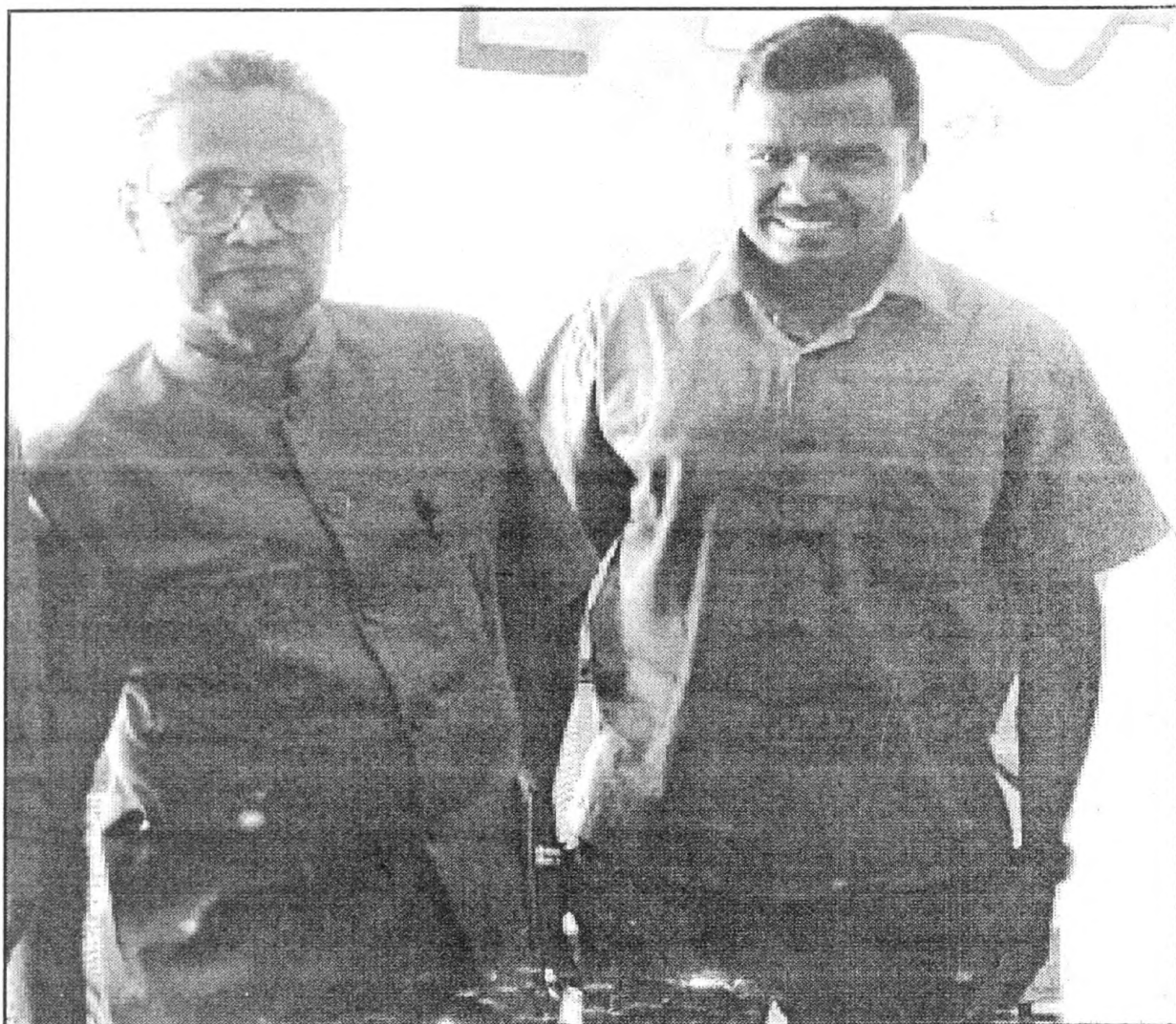
Mediation

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.

With all what had happened in the North-East, the Muslim issues are becoming graver daily. Muslim youths are becoming more desperate and they are agitating to take up to arms to resolve their problems if there is no favorable response to their grievances.

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. Munas 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 "Naduwappaniyakam" 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 ally 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 L TTE 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.



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.

4. MUSLIM POINT OF VIEW ON LTTE PROPOSALS FOR THE INTERIM SELF GOVERNMENT AUTHORITY IN THE NORTH EAST

LTTE submitted their ISGA proposals to Mr. Ranil Wickremesinghe's government on 01st November 2003, on behalf of the Tamil people for an Interim Self Government Authority covering all the eight districts of the North-East. The proposals demand substantial authority to effectively and expeditiously undertake all tasks of resettlement, rehabilitation, reconstruction and development in the North East.

Mr. Anton Balasingham, the Chief Negotiator of the LTTE when addressing an event on 27 November 2004 in London said. "We have already established a state. We have a government of our own. We have an army which is equivalent to the Sinhala army and a navy, police administration, justice system and all the infra structure of a state and we are conducting a government there. We have already a permanent state. We are asking an interim administration for a permanent state to be recognized internationally".

It is very important to point out here that the areas of historical habitation of the Muslims in the Eastern and Northern Provinces do not come under the control of the LTTE. Muslim areas continue to remain as part of Sri Lanka State. In these areas the Muslims have Sri Lanka Army, Navy, Police administration, Justice System and all the infrastructures.

In the Ceasefire Agreement, the Government and the LTTE, had agreed not to lay claim to the right or seek to control, administer or rule any part of the territory of the Northern and Eastern Provinces that was under the control of the other party as at the date of the signing of the Ceasefire Agreement for the duration of that Agreement. The demand for an ISGA is undeniably a demand by the LTTE to have and exercise absolute powers of governance over the entirety of

the Northern and Eastern Provinces including all those areas of the North East Provinces which they failed to subdue by force of arms and remain under the control of the Government. Hence the demand is a patent violation of the Ceasefire Agreement.

The principal purpose of making the proposals for an ISGA according to the LTTE is to serve the needs and secure the rights of the Tamils who, have been oppressed, victimized, brutalized and discriminated against by all Governments of Sri Lanka and continue to be so oppressed, victimized, brutalized and discriminated by the present Government too.

But the proposal is silent regarding the needs, rights and security of the Muslim people who have been forcibly displaced, victimized, brutalized and discriminated by the Tamil militants and continue to be oppressed, victimized, brutalized and discriminated by the LTTE too.

The Tamils were displaced due to the war in the North East but the Muslims continued to live here until the ethnic cleansing by the LTTE in October 1990. Nearly 100,000 Muslims were forcibly displaced 12,000 residential houses and more than 150 Mosques have been destroyed, more than 100,000 Acres of agricultural lands have been unlawfully occupied, movable and immovable properties worth Rs. 10,000 millions have been robbed by the LTTE.

At the LTTE leaders' international media conference on 10th April, 2002, Dr. 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 cannot 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." In the said media conference to a question, whether the LTTE would allow Muslim participation in the peace process, Mr. Velupillai Pirabakaran replied, "certainly we will

allow Muslim participation in the peace process. It is very important that the questions of the Muslim people are resolved along with the question of the Tamil people.”

However, after the ceasefire agreement, the incident at Valachenai during June 2002 where the LTTE had abducted 13 Muslims and the dead bodies of two Muslim youths killed by the LTTE were burned in front of their parents and government security forces thus denying them the burial according to Muslims rites, which clearly demonstrate the scant respect the LTTE has for the religion and the culture of the Muslims. LTTE has even put up a military camp in our Mosque in the Government controlled area at Kurangupanchan in Kinniya which is a gross violation of the MoU signed after the cease fire.

If this state of affairs is allowed to continue unchecked we will have another looming problem of immense magnitude - that is, the possibility of Muslim youths taking to arms. This would have enormous and far-reaching consequences, both domestically and inter-nationally. On the domestic side it would destabilise the entire Sri Lankan community. The possibility of Muslim armed struggle here attracting the attention of pre-dominantly Muslim countries elsewhere who will surely not allow their brothers and sisters in Sri Lanka 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 internationalised.

The meaning and effect of Article 9. Jurisdiction of the ISGA, Article 11. Separation of Powers, Article 14. District Committees and Article 15. Administration are crystal clear.

Firstly, the jurisdiction of all our Courts from the Supreme Court downwards in respect of every inch of the territory of the Northern and Eastern Provinces will be effectively abolished from the date of the establishment of the ISGA:

Secondly, that jurisdiction will be vested entirely in a 'judiciary' to be established by the ISGA which will necessarily be the Courts of the LTTE now functioning in those areas under their control and others like them to be set up in those parts of the Northern and Eastern Provinces which are presently ruled by the Government.

The provisions of Article 16 pertaining to a Special Commission to be appointed by the ISGA (i.e. by the LTTE) to report upon the rights of the "dispossessed people" is clearly a device to enable the LTTE to complete the process of 'ethnic cleansing' of the Northern and Eastern Provinces. The LTTE was able to drive out all the Muslims from the Northern Provinces, it could not achieve a repeat performance in the Eastern Province though they tried hard by committing mass murders of Muslims even while they were praying in our Mosques and sleeping in their houses in our villages.

It is pertinent in this connection to observe that among the lands that were forcibly occupied by the LTTE were the lands of the Muslims in both the uncleared and cleared areas of the Northern and Eastern Provinces. This demand contains no provision whatsoever, for the LTTE to restore possession of any land and properties in the occupation of the LTTE to its rightful owners, or to pay compensation to Muslim civilian for the forcible occupation of their lands and properties by the LTTE and the denial to their rightful owners, of "unfettered access" to such lands.

The ISGA wants executive power to control all administrative structures and personal in all the eight districts of the Northern and Eastern Provinces. This means the undermining of its elected members of Parliament, the dismantling of the North East Provincial Council, District Secretaries, Divisional secretaries and the Local authorities – Municipal Councils, Urban Councils and Pradeshiya Sabhas and control the statutory authorities, State Banks etc., for a short term goal of an Interim administration.

The ISGA will have plenary powers. As everyone knows 'plenary' means 'entire, absolute and unqualified'. The absolute majority of the members of the ISGA which will be appointed at the sole discretion of LTTE to rule not only the Tamils living in areas presently under the control of the LTTE, but also to rule all Sinhalese, Muslims and Tamils who live in those parts of the Northern and Eastern Provinces which are under the lawful and democratic rule of the Government.

The plain and simple meaning of these provisions is that the Government of the Sovereign Republic of Sri Lanka elected by all its people including those voters living in the Northern and Eastern Provinces will neither own nor have any rights and/ or powers in respect of a single square inch of any part of the land, the territorial waters abutting the Northern and Eastern Provinces or any of the minerals or resources that lie beneath the surface of that land and sea.

The JVP has out rightly rejected the LTTE proposals and warned that it would break away from the ruling coalition if the Government resumes peace talks on the basis of LTTE ISGA proposals.

The temporary merger of the Eastern Province with the Northern Province as a result of the Indo-Sri Lanka Accord of 29 July 1987 for an interim period up to 31st December 1988 still continuing. Many General and Presidential elections have taken place during the last 18 years but not the referendum in the Eastern Province. Hence, the Eastern Province people - 41% Muslims, 33% Tamils and 26% Sinhalese do not believe in any interim arrangements.

LTTE ISGA proposal says "Representatives of the Muslim Community have the right to participate in formulation of their role in the ISGA". But LTTE objecting the participation of the Muslims in the peace talk. How it is possible without Muslim participation in the Peace Talks?

LTTE Leader Pirabakaran also says "If some elements of our proposals are problematic or controversial, those issues can be resolved through

discussions at the negotiating table. Once the interim administrative authority is institutionalized and becomes functional we are prepared to engage in negotiations for a permanent settlement to the ethnic problem". To resolve the issues affecting the Muslims in the ISGA proposals and the permanent solution through discussion at the negotiating Table, Muslim participation in the peace talk is absolutely necessary.

5. MUSLIM PROPOSALS FOR THE INTERIM COUNCIL IN THE NORTH EAST

For the Muslims to accept an Interim Council in the merged North East region, there should be constitutional safeguards and effective power sharing arrangements for the North East Muslims.

Since Muslims have to sacrifice their legitimate right for a separate Interim Council and the political advantage in the Eastern Province, sufficient weightage should be given for the Muslims.

There are five important concerns:

- (1) The separate and distinct identity of the Muslim and the identified areas of historical habitation of the Muslims should be preserved and protected.
- (2) The Law and Order in the identified Muslim areas should be in the hands of the Muslims.
- (3) Adequate arrangements should be made to ensure that in the representation to the Interim council, North East Muslims should enjoy and exercise effective political power and influence.
- (4) Adequate arrangements should be made to ensure that in regard to employment and economic investments, the Muslim areas should have an equitable share.
- (5) Institutional arrangement should be worked out to link the Muslim majority Divisional Secretariat divisions and Pradeshiya Sabhas in the North East region in such a manner as to constitute separate administrative and political units within the region.

The proposed Interim Council will have a Police force consisting mainly if not solely of Tamils. In that process one cannot be unmindful of the strong likelihood that most vacancies in the cadre of the proposed police force will be filled with Tamil militants.

In such a situation it will lead to constant fear, anxiety and tension among the Muslim community. Muslims do not wish to be terrorized any longer by the Tamil militants. Therefore, the security arrangements in the areas of historical habitation should be in the hands of the Muslims.

Since all settlements in the North East region on state land, will be under the control of the Tamil majority Interim Council, the identified areas of historical habitation should be protected from colonization by the Tamils. Entitlement of state lands for the Muslims in the land alienation should not be less than 40% in the Eastern Province, 30% in the Mannar District and 5% in the rest of the Northern Province.

Muslim majority Pradeshiya Sabhas and Divisional Secretariat Divisions comprising the legitimate residential and agricultural land areas and natural resources should be created in Kattankudi, Eravur, Oddamawadi and Valaichenai in the Batticaloa District, Muthur, Kinniya, Thanpalagamam, Thoppur and Kuchcheveli in the Trincomalee District and Musali and Erukkalampitti in the Mannar District.

Separate Muslim majority political and administrative districts should be created linking the Muslim Majority Pradeshiya Sabhas and Divisional Secretariate Divisions in the Batticaloa, Ampara Trincomalee and Mannar Districts.

In order to ensure maximum safeguards and to enable them to enjoy equitable power sharing, provision should be made for the Muslims to be entitled to not less than 30% of the representation and members of the Cabinet of Ministers of the North-east Interim Council.

Unless a Muslim has been appointed as the Chief Minister of the North-East Interim Council, provision should be made to ensure a Muslim is appointed as the Deputy Chief Minister who will be in charge of the affairs in the areas of historical habitation of the Muslims in the North East.

Muslim should be entitled to job opportunities in the public sector in proportion to their population in each district in the North East region. In the field of Education, special consideration should be given to Muslim Schools in the backward areas. Separate educational facilities should be provided for the benefit of the Muslims upto the university level.

No legislation that would affects the rights of the Muslims or involve their identity and interest will be passed by the North-East Interim Council unless three fourths of the Muslim members in the Council support for such legislation.

North East Interim Council

1. There shall be established an Interim Council for the administration of the Northern and Eastern Provinces for a period of 5 years.
2. The objective of the Interim Council shall be to reconstruct and develop the war ravaged North East region and establish peace and normalcy.
3. The Interim Council shall ensure as quickly as possible to re-settle and rehabilitate all those people who have been displaced since the beginning of the ethnic strife.
4. It shall be the duty of the Interim Council to rehabilitate the lives of the displaced people and enable them to re-possess their lost dwellings and properties and adequately compensate them.
5. During the interim period the council shall ensure the de-escalation of violence and the decommissioning of illegally held arms in the possession of LTTE and para military groups.

Constitution of the Interim Council

- i. The total number of the members of the interim council shall consist of such number of members as is equal to the total number of members entitle to be returned in accordance with the determination by the Commissioner of Elections under Section 3(3) of the Provincial Councils elections Act of 1998 from the several districts

of the Northern and Eastern Provinces to the Northeast provincial Council.

- ii. The Interim Council should consist of representatives from all three communities living in the Northern and Eastern Provinces.
- iii. President will decide on the proportion of membership among the three communities. (It is suggested that there should be a minimum of 30% of the seats for the Muslims)
- iv. President will call upon the political parties in the Local Bodies representing the people of the Northern and Eastern provinces to nominate their representatives to the Interim Council in proportion to the number of seats they have in the Local Bodies.

Powers and Functions of the Interim Council

- (i) The Interim Council shall be entitled to exercise all the powers of the Regional Councils established under new Constitution.
- (ii) The powers of the Interim Council shall be enshrined in the Constitution.
- (iii) The functions of the Interim Council and its relations with the Governor will be laid down in the Constitution
- (iv) The core subjects and functions to be assigned to the Chief Minister, Deputy Chief Minister and the other Ministers shall also be enshrined in the Constitution.
- (v) The Interim Council shall take appropriate action against human rights violations.

Administration of the Areas of Historical Habitation of North East Muslims

All Muslim majority Divisional Secretary Divisions in Ampara, Batticaloa, Trincomalee, Mannar and Jaffna Districts should be clustered and brought under separate Muslim Secretaries in each district.

Implementing Agency of the Interim Council

- I. All the development programmes of the Interim Council shall be channeled through the respective Local Authorities.

- II. As soon as the Interim Council is established; the central government shall proceed to appoint a Delimitation Commission to establish ethnic oriented local authority areas all over the North and Eastern Provinces.
- III. As far as possible and practical, the commission shall endeavor to bring in within the same Local Authority areas all the residential and agricultural and other areas and resources of the people of the same community.
- IV. The delimitation commission in the process shall also re-examine the boundaries of the existing local authorities and may recommend the creation of such additional number of ethnic oriented local authority areas with a view to allay the fears and suspicions of the different communities and people.
- V. Such new local authorities as recommended shall be established within a period of six months (6) and the Central Government with the assistance of the Interim Council shall ensure the holding of elections to all local authorities and other local authorities in the region whose term of office has expired.
- VI. Number of Local Bodies should reflect the ethnic composition and ratio in the North East region.

Minority Safeguards

There will be the following safeguards to ensure that all communities in the Northern and Eastern provinces can participate and work together successfully in the operation of the Interim Council:-

- i. The Interim Council shall function in committees.
- ii. There shall be allocated Committee Chairs, Ministers and Committee Membership to all communities.
- iii. Key decisions and legislations should be proofed to ensure that they do not infringe the fundamental rights enshrined in the constitution.
- iv. Any decision of the Interim Council should not be valid.
 - a. If it prohibits to restrict the free exercise for any religion.
 - b. If it makes persons of any community or religion liable to disabilities or restrictions to which persons of other

- communities or religions are not made liable, or
- c. confer on any person or community or religion any privilege or advantage which is not conferred on person of other communities or religions, or
- d. alter the constitution of any religious body except with the consent of the governing authority of that body (similar to Section 29 of the Soulbury constitution)
- v. The key decisions and directives that may affect one or more minority communities of the region not to be valid except with a double majority.
- vi. Deputy Chief Minister of the Interim Council also to be a member of the Chief Ministers Conference as well as the Land and Water Use Council.

Cabinet and its Size

- i. There shall be a minimum of eleven (11) members in the Cabinet of the Interim Council.
- ii. Out of the eleven (11), Three (3) shall be members of the first minority of the region.
- iii. There shall be a minimum of one (1) member from the second minority of the region.
- iv. The Deputy Chief Minister and the other cabinet Ministers of the Minority communities of the region should have the confidence of the majority members of their respective communities in the interim council.

Law and Order

- 1. Whilst the Chief Minister shall be in over all charge for Law and Order in the Northern and Eastern Provinces – he shall exercise his powers through the Deputy Chief Minister who will be directly answerable for Law and Order in the areas of historical habitation of Muslims in the North East.
- 2. There shall be a Police Station in every Local Authority area and the composition of the Police Force shall reflect the ethnic composition of such Local Authority.

3. All Police Stations in the areas of historical habitation of Muslims in the North East should come under the respective Muslim District Superintendent, Muslim Province Senior Superintendent and Muslim Regional Deputy Inspector General.

Budget Allocations

The Finance Commission shall take into consideration the following matters before allocating funds and give appropriate directives to the Interim Council.

- i. The disparity already prevailing in certain under developed Local Authority areas.
- ii. The size of the population and geographic area of the Local Authority.
- iii. The interim council should expend such funds as are allocated to it by the Central Government in accordance with the guidelines provided by the Finance Commission.
- iv. The Interim Council should also ensure that minority communities within a particular Local Authority should not in any way be discriminated in the allocation of funds for development.

Employment Opportunities

All employment opportunities in the Eastern and Northern provinces shall be given on merit and according to the ethnic proportions of the respective districts in which such vacancies are available.

State Lands

1. It shall be illegal for the Interim Council to distribute State lands in any way that would disturb the demographic pattern of any particular Local Authority or Administrative Division or District.
2. State lands shall be preserved by the Interim Council for those landless persons of the district according to the demographic pattern of the said district. Any excess land in any district shall be distributed on priority basis to those landless of the adjoining district subject to the rule relating to demographic pattern.

Cultural Committees

1. There shall be established three (3) cultural committees one each in respect of every ethnic community of the region.
2. All members of the interim council belonging to one ethnic community shall ipso facto constitute the cultural committee of the said community.
3. The cultural committee shall function under the respective chairperson elected by the members of the respective communities.
4. All heads of local authorities belonging to the same community within the region could also take part in the deliberations of the cultural committees.
5. A Cultural Committee in addition to religious and cultural matters may also discuss and decide on any other matters of common interest of the said community in the region.
6. The interim Council shall in the Annual Budget allocate specified sums of money at the Independent disposal of each cultural committee for the benefit of the development of the different cultures of all communities in the region.

International Human Rights Monitoring Mission

There shall be established International Human Rights Monitoring Missions in all the eight districts of the North East region to monitor human right violations.

Equality Commission

There shall also be established an Equality Commission to monitor the statutory obligations of the Interim Council to promote equal opportunity in specific area and parity of esteem between any communities and to investigate individual complaints against public bodies.

Two Separate Regional Councils in the North East

At the expiration of five years from the commencement of the constitution of the Interim Council, two (2) separate Regional Councils shall be established-

- (a) a predominant Tamil unit called North-East Regional Council comprising the combined Northern and Eastern provinces but excluding the areas covered by the predominantly Muslim unit called South Eastern Region.
- (b) a predominant Muslim unit called South Eastern Regional Council comprising the traditional Muslim homelands in Ampara, Batticaloa, Tricomalee, Mannar and Jaffna Districts.

It was the former Executive President Jayawardena circumvented the laws passed by his own Government in the Provincial Council Act and effected the temporary merger of the Northern and Eastern Provinces under the emergency regulation and made the North East Muslims a community of political and social slaves under the Tamils. The merger to make the Northern and Eastern provinces a single unit for political and administrative purpose had only helped the Tamils for ethnic cleansing of Muslims and Sinhalese and unilateral declaration of the separate state "Tamil Eelam" in the North- East and made a mockery of the 13th Amendment to the Constitution and devolution of power.

The Muslims have never asked for anything more than what is legitimately due to us as citizens of Sri Lanka. We have not asked for the separation of the country nor have we resorted to terrorism to settle our grievances. While solving the Tamil problem the government should not create a community of political and social slaves out of the Muslims in the Northern and Eastern provinces. It is hoped that the government would not desire the betrayal of the Muslims at a crucial time and force the Muslim youths to become militants to fight another war in the future for Muslim rights in the North East.

6.

INDEPENDENT PARTICIPATION OF MUSLIMS IN THE PEACE TALKS

At the signing of the Cease Fire Agreement - CFA, 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 the cover of the ceasefire. In fact the CFA has placed the Muslim community at a disadvantage - a position which we did not suffer before the CFA.

LTTE cadres abducted Muslims, killed and burned them in the presence of the Army and Police in the Government controlled territory. This happened during cease fire in Valachchenai on Sunday the 30th June 2002.

Erection of a new military camp during cease fire by the LTTE right inside a Mosque in the Government controlled area in Kurangupanchan in Kinniya is another serious violation of the CFA.

The parties to the ceasefire agreement - GOSL, LTTE, the Norway facilitator and the International Donor countries should realize that even after four years of the cease fire the living condition and the security of the Muslim people in the East continue to deteriorate.

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 youths in those areas who simply 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.

LTTE forcibly occupying 63,000 Acres of Agricultural land belonging to 14,872 Muslim Families in the East. During the ethnic cleansing in 1990, LTTE has chased 14,400 Muslim Families from the North, unlawfully occupying 11,100 Muslim Houses and 11,058 Acres of Agricultural Land robbed properties worth Rs. 5.0 billion from 13,682 Muslim Families and destroyed 148 Mosques – Muslim places of worship.

After the cease fire, the Muslims have been denied access to mosques during mass agitation promoted by the LTTE. Further, the incidents at Muttur, Kinniya, Valachenai, Eravur, Addalachchenai and Akkaraipattu where the LTTE and other Tamil militants have destroyed properties worth many Millions and abducted and killed hundreds of Muslims. Muslims in the Eastern Province are the victims of the current cease-fire.

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 internal self-determination.

A politico military strategy of the LTTE has been to weaken the economic strength of the Muslim community. In order to realize this object, the LTTE, as is the case of other Tamil militants, have targeted economic ventures and business places of the Muslims.

The pattern of attacks that have been unleashed on the Eastern Muslims clearly demonstrates that there is a deliberate plan by the Tamils to weaken the economic and political strength of the Muslims and chase us away like what they did in the North and make the

North-East a mono - ethnic Tamil region in order to create the “Tamil Elam” one day.

Muslims should consider more seriously the present trend and take immediate steps to safeguard our legitimate rights in an appropriate manner. If proper safeguards are not secured now it would amount to be the biggest betrayal of not only the present generation but also those yet to be born in the Eastern provinces as Muslims in the future.

If this state of affairs is allowed to continue unchecked we will have another looming problem of immense magnitude - that is, the possibility of Muslim youths taking to arms and seeking support from neighboring Muslim countries who will surely not allow their brothers and sisters here to be continuously left disregarded and even undefended. We will then have to face a situation where another dimension of our political problem will become internationalised.

51 States and 22 international organisations represented at Tokyo firmly endorsed the participation of a 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 whatsoever that it is prepared to stand by the Tokyo Declaration, and has the political will to support that Declaration.

The Muslim community in the North East wish to be represented clearly and solely as an independent group on the basis of our own interests whether or not those interests converge with the interests of the Government and the LTTE, We are demanding an independent representation at all negotiations whether it is to discuss Cease Fire Agreement - CFA or Devolution of Power or any Interim arrangement in the North East.

The Muslims who are directly affected by the ongoing ethnic conflict must be able to choose the composition of our delegation and the line of representations that we wish to advance. It is a matter for the North

East Muslim community to decide among ourselves. There should not be dictation or manipulation by other parties with regard to the composition of the delegation and the position that we might wish to take.

7. RESETTLEMENT OF FORCIBLY DISPLACED MUSLIMS IN THE NORTH EAST

The main focus of the Government of Sri Lanka (GSL) and the Liberation Tigers of Tamil Elam (LTTE) at the peace talk held in Thailand during 6-9 January 2003, was on the urgent humanitarian needs to improve the day to day lives of the North East people. To this effect the parties have agreed on an accelerated Resettlement program of the Internally Displaced people.

Details of the internally (forcibly) Displaced Muslims from the North East 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
Ampara	110	523
Trincomalee	2,207	10,492
Batticaloa	343	1,631
<u>Total:</u>	<u>21,614</u>	<u>102,867</u>

The value of assets robbed by the LTTE during 1990 ethnic cleansing is more than Rs. 10,256 Million or US\$ 110 Million. The donor countries should put a condition for the LTTE to pay this amount to the forcibly displaced Muslims.



<u>Description</u>	<u>Quantity</u>	<u>Value in Millions</u>
Residential properties	22,000	5,500
Commercial and Industrial 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
<u>Total:</u>		<u>Rs.10,256</u>

The parties to the ceasefire agreement dated 22nd February 2002 the Government of Sri Lanka (GSL) and the Liberation Tigers of Tamil Eelam (LTTE) have accepted that the groups that are not directly party to the conflict have also suffered the consequences. This is particularly the case as regards the Muslim population in the North East.

But the LTTE Leader of the combat unit of the Eastern province Karuna speaking in a recent meeting in Switzerland had said that the MoU that was signed by the Government and the LTTE was prepared by the LTTE having only the interest of the Tamils in mind. Speaking further Karuna said the Economy of the Eastern province is in the hands of the Muslims and this should be changed. At present Muslims are taxed only 5% of their income, it is only to keep them happy for a while but soon we must levy a Tax of at least 20% from them. Karunas speech was broadcasted by IBC, a broadcasting station maintained with LTTE sponsorship

From the behavior of the LTTE, the Muslims are beginning to suspect whether the Federal State of Tamil Eelam had already been established in the North-East. The opening of LTTE political offices in the cleared areas, the system of taxation and extortion, the operation of Tamil Eelam Police Force and its own judiciary give rise to many questions. For example who is responsible for the safety and security of the Muslims in the North East during the period of Peace Talk, which is dominated by the LTTE. President Jayawardena proclaimed the temporary merger during emergency subjected to a referendum in the East at the end of the year. The referendum had not taken place for the last 18 years. Since the emergency is not in force now, is the temporary merger valid any more? Should the Muslims accept the North-East merger without a referendum in the East for the establishment of the Federal State of Tamil Eelam.

LTTE has been trying various methods, first it was the Interim Administration in the North East, then the Special Task Force and later 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 with international recognition. By this Process the LTTE is trying 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.

Following the financial support pledged by the international community in Oslo the parties decided to move from planning to implementation of humanitarian and rehabilitation programs. SIHRN has been recognized as the Implementing Agency and the World Bank has been accepted as the custodian of the North-East Reconstruction Fund (NERF).

Works that have to be carried out urgently in the Muslim areas before the commencement of the resettlement of forcibly displaced Muslims from the North

01. Demining

Mannar District

Musali DS Division

Chilavathurai, Kondachchi.

Mannar DS Division

Thalaimannar Pier.

Manthai DS Division

Vidathalthievu, Periyamadu, Minuka.

Mullaithievu District

Mullaithievu DS Division

Mullaithievu Town, Hijirapuram.

Jaffna District

Pommaveli, Mankuman, Chavakachcheri.

02. Clearing of unlawful occupants from all residential, commercial and Industrial buildings belong to Muslims

03. Clearing of unlawful occupants from all Religious and Cultural buildings.

04. Clearing of all unlawful occupants from all Muslim Agricultural land and preparation of such land for cultivation.
05. Clearing of shrub jungles covered in the residential premises.
06. Clearing of the jungles on the access road and internal lanes
07. Renovation of Tanks and Irrigation channels.
08. Reconstruction of all residential, commercial, cultural and religious buildings.
09. Reconstruction of Infrastructure – Electricity, Water, Roads etc.
10. Reconstruction of Civic centres and public buildings Schools, Hospitals, Market, Bus Stands, Post Office, Police Station and Secretariat Offices
11. Puttalam- Mannar Western Coastal Highway and bridge should be repaired and opened immediately
12. The railway tract from Mathawatchi to Thalaimannar should be repaired and the train services should commence immediately
13. The bridge connecting the Mannar Island with the main land should be reconstructed.
14. The Causeways in Mannar, Muthur and Kinniya should be reconstructed.
15. The road from Mankulam to Mullaithievu should be reconstructed.

Internally Displaced Muslims in the North East

Northern Province	Jaffna	Vanni	Total	
Internally Displaced Muslim Families	4,000	14,954	18,954	
Internally Displaced Muslim People	20,000	69,367	89,367	
Eastern Province	Amp.	Batti.	Trinco	Total
Internally Displaced Muslim Families	110	343	2,207	2,660
Internally Displaced Muslim People	500	2,000	11,000	13,500

**FUNDS REQUIRED IN MILLION RUPEES 33, 250 (MILLION US \$ 350)
FOR THE RESETTLEMENT**

		Northern Province			Eastern Province				Total
		Jaffna	Vanni	Total	Amp.	Batti.	Trinco	Total	
Demining	Rs.	4.50	11.71	16.21	3.04	6.20	6.25	15.49	31.70
	US\$	0.05	0.12	0.17	0.03	0.07	0.07	0.16	0.33
Roads	Rs.	238.39	1175.77	1414.16	59.43	29.54	140.00	228.99	1643.15
	US\$	2.51	12.38	14.89	0.63	0.31	1.47	2.41	17.30
Housing	Rs.	2163.63	9680.83	11844.46	107.20	347.79	2167.55	2622.54	14467.00
	US\$	22.78	101.90	124.68	1.13	3.66	22.82	27.61	152.28
Mosques	Rs.	41.86	108.87	150.73	3.48	10.96	70.53	84.97	235.70
	US\$	0.44	1.15	1.59	0.04	0.12	0.74	0.89	2.48
Schools	Rs.	41.86	108.87	150.73	5.53	17.40	112.04	134.97	285.70
	US\$	0.44	1.15	1.59	0.06	0.18	1.18	1.42	3.01
Hospitals	Rs.	20.93	54.44	75.37	2.76	8.73	56.04	67.53	142.90
	US\$	0.22	0.57	0.79	0.03	0.09	0.59	0.71	1.50
Electricity	Rs.	41.36	150.96	192.32	3.82	12.04	77.52	93.38	285.70
	US\$	0.44	1.59	2.02	0.04	0.13	0.82	0.98	3.01
Pub. Utility	Rs.	20.93	54.44	75.37	2.76	8.73	56.04	67.53	142.90
	US\$	0.22	0.57	0.79	0.03	0.09	0.59	0.71	1.50
Land Prep.	Rs.	53.80	190.92	244.72	60.00	66.82	60.00	138.28	1583.00
	US\$	0.57	2.01	2.58	0.63	0.70	0.63	14.09	16.66
Irrigation	Rs.	53.80	190.92	244.72	60.00	66.82	60.00	138.28	1583.00
	US\$	0.57	2.01	2.58	0.63	0.70	0.63	14.09	16.66
Fisheries	Rs.	11.73	142.71	154.44	8.27	24.80	158.74	191.81	346.25
	US\$	0.12	1.50	1.63	0.09	0.26	1.67	2.02	3.54
Cattle Farm	Rs.	53.80	190.92	244.72	60.00	66.82	60.00	138.28	1583.00
	US\$	0.57	2.01	2.58	0.63	0.70	0.63	14.09	16.66
Compensation	Rs.	402.92	9956.88	10359.80	8.39	26.32	169.49	204.20	10564.00
	US\$	4.24	104.81	109.05	0.09	0.28	1.78	2.15	111.20
Consultancy	Rs.	66.80	173.74	240.54	1.83	5.73	36.90	44.46	285.00
	US\$	0.70	1.83	2.53	0.02	0.06	0.39	0.47	3.00
Audit	Rs.	16.70	43.44	60.14	0.46	1.43	9.22	11.11	71.25
	US\$	0.18	0.46	0.63	0.00	0.02	0.10	0.12	0.75
Total Rs.		3233.01	22235.42	25468.43	386.97	700.13	3240.32	7781.82	33250.25
Total US\$		34.03	234.06	268.09	4.07	7.37	34.11	81.91	350.00

The proposal submitted by the Sri Lanka Government to the Oslo Donors Conference on 25th November 2002, for immediate Humanitarian and Rehabilitation support did not mention the losses suffered by the Muslims and the funds required for the Rehabilitation and Reconstruction works in Muslim areas. The proposal gave the impression that it was only the Tamils have suffered in the North East conflict.

The Muslim Unit authorised by the Prime Minister in the Government peace secretariat to prepare the detail Plans and Estimates for the urgent works that have to be carried out and the register of Muslim

lands that are unlawfully occupied by the Tamils in the North-East have not yet been accomplished. World Bank will not release any funds without proper plans and estimates for the rehabilitation works in the Muslim areas in the North-East.

LTTE's political leader Tamilchelvan in a recent statement outlining the structure of the SIHRN has stated that it would function at district level and decide the area for development, allocation of funds, etc. The composition of the committee according to him will comprise LTTE-2 members, government-2 members and the District Secretary (GA). No mention about Muslim representation. The SIHRN's powers would definitely bypass all the functions of existing line Ministries and Rehabilitation Authorities in the North-East.

Muslims should have equal representation in these committees because the need for rehabilitation of Muslim refugees and the reconstruction of Muslim areas devastated by the war is in no way second to that of the Tamil areas.

Unless we have equal representation the Muslims will not be able to resettle the 102,867 Muslims forcibly displaced by the LTTE from the North-East and claim our agricultural lands and establish our property rights on residential and business premises. This is the opportunity for the Muslims to prove our rights to look after our own affairs in the predominant Muslims areas independent of Tamils interference.

This would also give an opportunity for the Muslims to prove the Government of Sri Lanka as well as the International Community the feasibility of administering the predominant Muslim areas in the North East independently by the Muslims, and to establish our rights for internal self-rule.

Elamparathi who lead the LTTE ethnic cleansing of Muslims in the North East in 1990 is now back as the political chief in Jaffna. The

main concern of the few Muslims who have return to Jaffna is about their security, and lack of attention to Muslim IDPs. In 1990 nearly 18,000 Muslims lived in Jaffna in 3537 houses and 194 Government quarters, sent their children to four primary schools and two secondary schools and conducted prayers in 16 Mosques. All that are changed now by the LTTE and the present ground situation in Jaffna is quit different. The few Muslims who have returned mostly do pavement hawking, tailoring, run meat stalls or engage in scrap iron business. But the LTTE middlemen have now taken control of the trade and it is extremely difficult for the Muslims to survive in Jaffna. Also the Muslim returnees have found that their houses are being occupied by the Tamils authorize by the Government agent.

Under the present situation there is serious security threat for Muslims in the North-East. However, the SLMC leader Rauff Hackeem has said that the forcibly displaced Muslims should have confidence in the assurance given in the joint statement signed by him and the LTTE leader Velupillai Pirabakaran in April last year and go back. But the Government continues to remain silent with regard to the security and the rights of the Muslims in the North-East.

8.

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 ethnic council should in no way be inferior to the Tamil ethnic 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 principle 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 Regional 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 Muttur, Kinniya, Thampalagamam and Kucheveli 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. Where as 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

GOVERNMENT - States and Union Territories.

Governor : Dr. Rajan Rai

Chief Secretary	: T.T. Joseph
Chief Minister	: R.V. Janakiraman
Jurisdiction	: Falls under jurisdiction
Speaker	: V.M.C. Sivakumar
High Court	: Madras High Court

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 18 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 living in substantial numbers is the Eastern province. The amalgamation renders them insecure and politically insignificant.

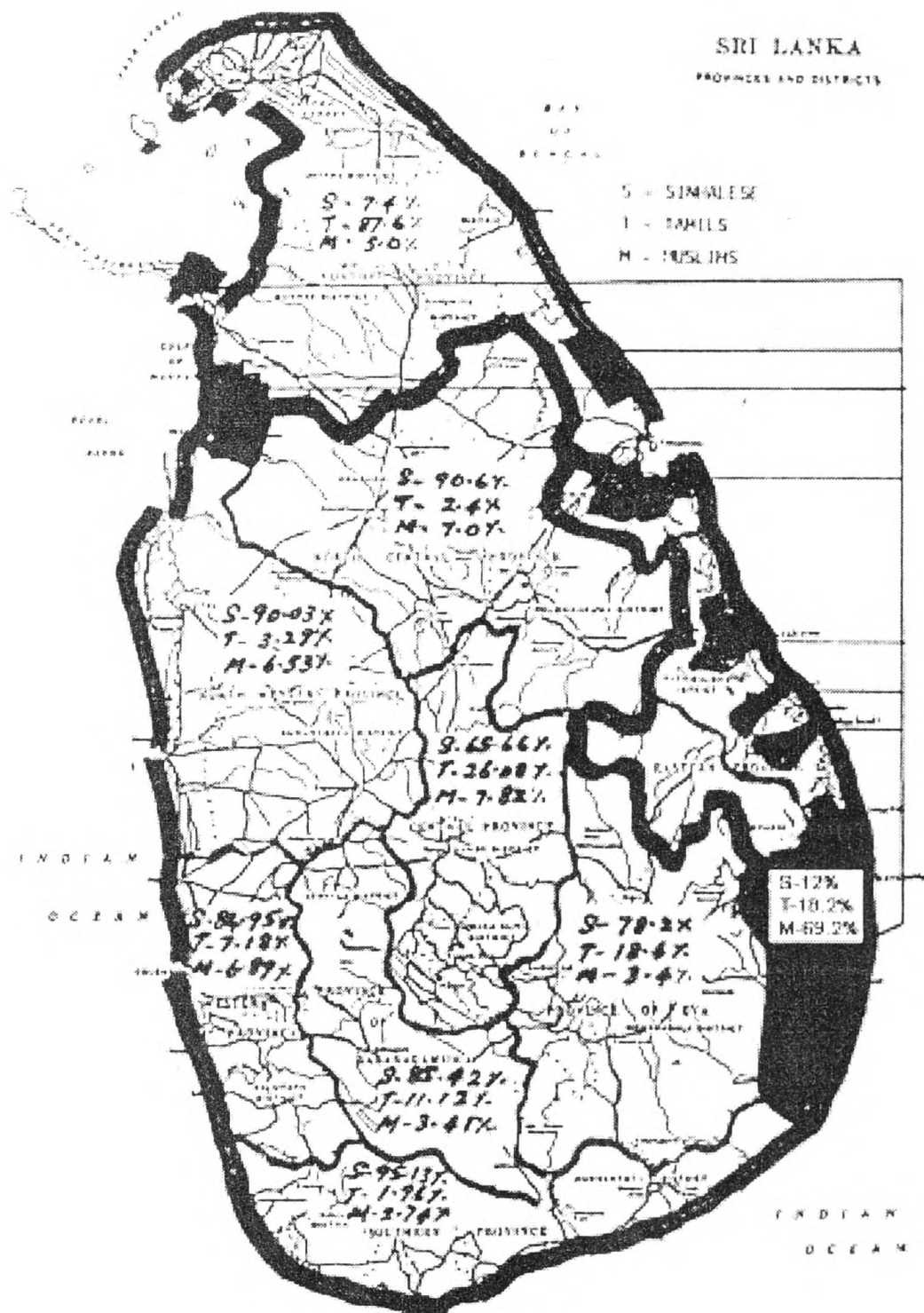
6. Creation of a Muslim Majority Regional Council on the administrative pattern of the non-contiguous Union State in India - Pondichery is the answer to the fears of the Muslims of the North-East in so far as the following areas are concerned.

- 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/ Nintavurpattu 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



NORTH EAST DEMOGRAPHY - CENSUS 1981

	<i>Total</i>	<i>Sinhalese</i>	<i>S.L.Tamils</i>	<i>Indian Tamils</i>	<i>Sri Lankan Muslims</i>	<i>Others</i>	<i>Land Area Sq. Mts</i>
Northern Province	1109,404	35,128	957,247	63,759	50,828	2,442	3,429.0
	100.0%	3.2%	86.3%	5.8%	4.6%	0.2%	
Jaffna District	738,788	5,648	715,892	4,924	11,839	485	440.0
	100.0%	0.8%	96.9%	0.7%	1.6%	0.1%	
Kilinochchi District	91,764	1,011	74,493	15,056	1,119	85	558.0
	100.0%	1.1%	81.2%	16.4%	1.2%	0.1%	
Vavuniya district	95,428	15,794	54,179	18,714	6,505	236	1467.00
	100.0%	16.6%	56.8%	19.6%	6.8%	0.2%	
Mullethivu District	77,189	3,992	58,209	11,215	3,651	122	
	100.0%	5.2%	75.4%	14.5%	4.7%	0.2%	
Manar District	106,235	8,683	54,474	13,850	27,714	1,514	964.0
	100.0%	8.2%	51.3%	13.0%	26.1%	1.4%	
Eastern Province	993,435	255,843	400,490	10,907	320,220	5,973	3,839.0
	100.0%	25.8%	40.3%	1.1%	32.2%	0.6%	
Ampara District	388,970	146,943	77,826	1,411	161,668	1,220	1,775.0
	100%	37.8%	20.0%	0.4%	41.6%	0.3%	
Batticaloa District	330,433	11,255	233,713	4,074	78,829	2,562	1016.0
	100.0%	3.4%	70.8%	1.2%	23.9%	0.7%	
Trincomalee Dis.	274,032	97,645	88,951	5,422	79,723	2,29	1048.0
	100.0%	33.6%	32.5%	2.0%	29.1%	0.8%	
Ampara + Trico Dist.	663,002	244,588	166,777	6,833	241,391	3,511	2,823
	100.0%	36.9%	25.2%	1.0%	36.4%	0.5%	
Batticaloa & Trinco Dis.	604,365	108,900	322,664	9,496	158,552	4,753	2,064.0
	100.0%	18.0%	53.4%	1.6%	26.2%	0.8%	
Northern Province, Batticaloa & Trincomalee District	1,713,769	144,082	1,279,911	73,255	209,380	7,295	5,493.0
	100.0%	8.4%	74.7%	4.4%	12.2%	0.4%	
Northern & Eastern Provinces	2,102,839	290,971	1,357,737	74,666	371,048	8,415	7,268.0
	100.0%	13.8%	64.6%	3.6%	17.6%	0.4%	

9. INDIAN MODEL DEVOLUTION WILL SATISFY FEDERAL AND UNITARY CONSTITUTIONS

The all-party conference (APC) has decided to set up a sub committee on constitutional reform which will agree on a possible solution to the North East ethnic question. It will comprise members of parliament who are to arrive at a southern consensus. The panel of legal and constitutional experts will offer technical advice.

Today, not a single southern party denies the existence of a political problem. Every political party offers a political solution – whether unitary, quasi federal or federal.

All the four mahanayakes are openly for a political solution now. Some of the monks who were vociferously against the 1997 proposals are today either silent or are openly for a political solution.

The LTTE and Tamil diaspora keep on saying that the people of the south are against a political solution, conveniently ignore the developments that have taken place in this part of the country.

The parties that are with the government have an important part to play. They have to push for a political solution that is very attractive to the Tamils which the LTTE will find it very difficult to say 'no'. If the solution is attractive to the ordinary Tamil people, and if the international community also sees that it is a reasonable offer, it would go against the LTTE and weaken the LTTE and strengthen the southern forces.

LTTE has not given up their demand of a separate state. They don't talk much about the Oslo Declaration and have even disowned it now. Then came their proposals for an Interim Self Governing Authority. No government would accepted it. Now they are talking about a confederation between two almost independent units with each having its own armed forces. No government in the south can accept this.

The EU had now imposed a total ban on the LTTE with the expectation that the Government of Sri Lanka also will fulfill its obligation to the satisfaction of the International Community, based on the Oslo Agreement within a United Sri Lanka. The Government which is

committed to find a solution under the Oslo Agreement, if it shows reluctance to do so, will certainly lose its credibility in its relationship with the International Community.

A situation is now fast developing, due to the LTTE's attitude, for the Government to act unilaterally by putting forward a reasonable proposal, acceptable to the Tamils and Muslims.

A proposal reasonable and acceptable by either the co-chairs or a team of experts nominated by a few countries where Federalism has thrived and offer it to the LTTE for their acceptance. If the LTTE-accepts the proposals, all the other Tamil parties can be persuaded to agree to give to the LTTE majority representation in any administrative set up and make it conditional for them to surrender their arms.

If the LTTE rejects such a proposal the only option the International Community has is to get together and tame them by various ways, including imposition of strong sanctions and such other steps necessary to pressurize them.

If the proposal confines to the Oslo Agreement to which the Government is committed, the LTTE cannot justify their rejection. The Indian Government too had very clearly and finally said that it will go all out to prevent division of the country and also that it will deal firmly with terrorism.

A solution based on the Indian model is that would satisfy those who are opposed to the Federal and Unitary type of constitution. The Indian one is neither Federal nor Unitary.

The two strange coincidence that had taken place in 'India and Sri Lanka, have created now a favorable atmosphere for both Governments to freely discuss' and solve the problem easily. One is that the main constituent partner of the United Progressive Alliance Government, the DMK has captured power in Tamil Nadu. The Leader of the DMK, Dr. Kalaingar M. Karunanidhi has formed the Government in Tamil Nadu with the Congress supporting him. The other coincidence is that the President of Sri Lanka is from the party that is in power today. If we do not solve our problems now with the

support of a friendly Government in India which in turn is friendly with the State Government of Tamil Nadu, we will never solve it.

The Indian model as a solution to the ethnic problem is popular among the Sinhalese and Muslims as well. Everyone is opposed to a division of the country. Above all, out of the 28 states and 7 Union Territories in the Indian Union, Tamil Nadu state shows great interest in the Tamils of Sri Lanka, being of the same ethnic group. The Indian model will be welcomed by the people and the Government of Tamil Nadu and will also silence the Tamil Nadu Politicians like Vaico, Nedumaran and Thirumavalavan. They have no moral right to demand for more powers for the North East regions in Sri Lanka than what they have in their own state of Tamil Nadu.

The Tamils, having faced various problems during the last 50 years and having lived under LTTE's terrorist rule without any democratic and fundamental rights and with so many of their Human Rights violated and after long agitation for separation, will not be prepared to accept a solution within the framework of a Unitary system under which no relief came for well over 50 years.

The reluctance on the part of the Tamils to openly defy the LTTE is also due to uncertainty of the type of solution contemplated by the Government.

They are prepared to give up their demand for separation and accept a solution within a United Sri Lanka if the structure of the constitution is to provide a Federal Solution.

As a compromise the Tamils may be prepared to accept the Indian model which will be acceptable to majority of the Sinhalese and Muslims also.

For the first time in 50 years both the UNP and the SLFP, the two major Political Parties that take turns to rule the country, have offered a Federal Solution to solve the country's ethnic problem the former at the recent Presidential elections and the latter by passing a unanimous resolution at the last year's annual convention of the Party. The leftist parties right throughout had not changed their stand on a Federal Solution.

10.

INTERNATIONALISATION OF MUSLIM QUESTION

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. Muslims need to be vigilant in the future. Our primary concern is the safety and security of our people, rights for our homeland, resettlement of the displaced Muslims and power sharing on the basis of 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 majority 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, Education, Land Alienation and Security which come under the purview of the state, it could be the Muslims.

Although the 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 North East conflict. The Indo-Sri Lanka Accord, the 13th Amendment to the constitution and the provision of the provincial council act has 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 Muslim. This total disregard shown to Muslim sentiments brings to surface one truth - the government has little or no concern about the safety and security of the Muslim people in the North-East.

The Muslims have always sought to resolve our ethnic issues through non-violent means. Diplomacy has been the instrument of Muslim relationships based on the principle of coexistence between all communities living in Sri Lanka. Unfortunately, the violence perpetrated against the Muslims in the last two decades has shown us that we have not succeeded in drawing attention to our problems internationally. When more than hundred thousand Muslims were forcibly evicted from the North-East by the Tamil militants there was very little protest from International Bodies. We have learnt over the years that the natural mechanisms including the Government, have failed to afford adequate protection to the Muslims. To ensure adequate protection we have no option but to make use of the protocols and instruments available to us internationally under the Charter of the United Nations. The Charter provides for protection of minorities and several other United Nations instruments can be utilized to internationalize the Muslim question. We need therefore to ensure that we represent our case in all United Nations bodies and other International fora. A lobby also must function to inform other international institutions regularly.

Further, efforts need to be taken to keep the donor community fully informed of the situation regarding the Muslim Question. Donor participation in the economic development of the North-East could be on the basis of conditionality attached to standards achieved in the treatment of the minorities. International monitoring of the interim administration is an important condition that needs to be elaborated. Donor participation here means the donor consortium, the humanitarian consortium and the World Bank.

While intending to reach out to the world in this manner, we are also quite aware that internationalization alone will not bring practical solution to the problems faced by the Muslims in Sri Lanka. It is imperative to work out special programmes and proposals aimed at providing durable settlement of such problems and for initiating and sustaining a dialogue process with other communities and the government based on the principals of equality, mutual accommodation and pluralism.

11. PEACE SECRETARIAT FOR MUSLIMS

Terms of Reference

All decisions taken during the Peace Process has had serious impact on the lives of Muslims in the North - East. Due to the structure and form of peace negotiations Muslims did not have an opportunity to present their case independently.

A Unit set up to look after the interests of Muslims at the Secretariat for Coordinating the Peace Process - SCOPP did not materialize. Also the unit attached to the Prime Minister's office too did not yield the desired results.

At the fourth session of Peace Negotiations held in Thailand it was decided that a Muslim delegation would be invited to the peace talks at an appropriate time for deliberations on substantive political issues.

During various sessions of peace negotiations, the following decisions were reached:

1. Establishment of committees to address issues relating to lands in all three Districts in the Eastern Province and Northern Province.
2. Security and maintenance of law and order in the Muslim areas in the North and East.
3. Resettlement of displaced refugees.
4. Reconstruction of affected infrastructure and properties.

Sri Lankan Government acknowledged that,

-a Muslim delegation must participate in the discussions relating to the establishment of a provisional administrative structure for the Northern and Eastern Provinces, and
-that it should be open to submissions by Muslim Parties of separate proposal pertaining to the establishment of the above mentioned structure.

LTTE proposal to set up an (ISGA) for the North and East did not address the aspirations of Muslims.

From the time the CFA came in to being there were fears that planned violence were unleashed to drive Muslims away from their historical habitats and economic centers.

There was also no effective system to monitor and record the incidents on a continuous basis.

Therefore, it has become necessary to establish a Peace Secretariat for the Muslim Community to act as a pro-active institution that can serve as a recourse center, research and analysis body and an advisory forum with the following objectives.

1. The Secretariat shall function as an independent body in so far as its mandate is concerned.
2. The Secretariat would be to act as a recourse center, research and analysis body and an advisory forum among other things in respect of the peace process and the implementation of the CFA.
3. The Secretariat to facilitate consensus building among Muslim political parties and other stakeholders to develop cohesive response on vital issues effecting the Muslim community.
4. The Secretariat would also study and report on issues pertaining to concerns expressed by the Muslims in respect of devolution of power, unit of devolution, implementation of the CFA, response of the Muslims with regard to the proposals of the Government and LTTE on the establishment of Interim Arrangements and RRR matters.

Activities

- a. Preparation of position papers, discussion documents, aide memoirs on historical and current issues with specific reference to aspirations and interests of Muslims.

- b. Conduct of studies on macro issues in respect of conflict and conflict transformation, constitutional theories, power sharing arrangements, and protection of minority interests.
- c. Monitor and evaluate the progress of the ongoing peace process and report its observations to appropriate authorities.
- d. Formulation of proposals on policy and programme for Rehabilitation, Resettlement and Reconstruction activities for the Muslims and development in the traditional Muslim areas.
- e. Monitoring of human rights violations against Muslims and law and order situation in the North and East.
- f. Act as a recourse and data center for the politicians, civil society and to all concerned individuals and organizations.
- g. Disseminate information and news about the above objective through media and website to the national and international society.
- h. Monitoring of the peace process and the implementation of the CFA and study the acts and responses of all parties and conduct analysis.
- i. Collection of data and information on all relevant incidental matters.
- j. Conduct workshops, seminars, discussion secessions, interaction with civil society and local and international entities who are involved in the peace process.
- k. Maintenance of an interactive website.
- l. Developing working relationships with SCOPP, LTTE Peace Secretariat, the Norwegian Facilitators and the SLMM.

Summary of the Memorandum of Understanding between Sri Lanka Muslim Congress - SLMC and National Unity Alliance - NUA for the Establishment of a Peace Secretariat for Muslims

SLMC and NUA are the joining forces to provide the essential leadership for consolidated engagement of Sri Lanka Muslims in the Peace Process.

To pursue with vigour the search for a negotiated settlement to the ethnic conflict acceptable to all communities living in Sri Lanka.

To incorporate the Secretariat as a not-for-profit Guarantee Company under the Companies Act of Sri Lanka.

The Parties agreed to work towards consolidating Muslim engagement in the peace process by accommodating diverse Muslim opinions.

The SCOPP, UNDP and the LTTE have recognized the need for an inclusive peace structure for Muslims.

1.1 The objectives

- a. Formulate Policy, conduct research and analysis on issues that are of vital importance to the Muslims.
- b. Act as a resource centre and an advisory forum.
- c. Provide capacity building and training programmes for Muslim participants in the peace process.
- d. Prepare frameworks that would satisfy the aspirations of the Muslims.
- e. Facilitate consensus among Muslim political parties and political formations.
- f. Study and report on issues pertaining to the concerns expressed by the Muslims in respect of the peace process, devolution of power, unit of devolution, implementation of the CFA, interim arrangements, rehabilitation, development, reconstruction works.

- g. Ensure rapid responses, in terms of security, relief and rehabilitation.
 - h. Study and report on the right of return of all Muslims who are forcibly evicted.
 - i. Develop working relationships with SCOPP, the LTTE Peace Secretariat, the Norwegian facilitators, and the Sri Lankan Monitoring Mission.
- 1.2 One Text Initiative shall facilitate the establishment of the Secretariat and act as the custodian of funds during the interim period. One Text Initiative shall coordinate and to obtain necessary concurrence, recognition and financial assistance.
 - 1.3 The Standing Committee set up under the auspicious of the One-Text initiative will provide and facilitation services to the Secretariat.
 - 1.4 The Berghof Foundation shall play the role of the resource and capacity building partner during the interim period.
 - 1.5 Pending incorporation, the Standing Committee set up under the auspices of the One Text Initiative, shall deemed to be the Governing Council.
- 2.0 The Governing Council shall conduct affairs of the Secretariat.
 - 3.0 The Parties agree that all decisions in respect of the establishment and conduct the affairs of the Secretariat shall be taken with mutual agreement and communicated to the Governing Council in writing.
 - 4.0 The Parties agree towards bringing other Muslim parties and groups into the process.
 - 5.0 The Parties agree that any dispute to resolve them through consultations and consensus.
 - 6.0 The future role of the Standing Committee established under the auspices of One Text initiative will be reconsidered by the Secretariat.
 - 7.0 The Parties reserves the right to amend any of the objectives as appropriate.

12. MUSLIM DOCUMENTATION CENTRE

1. The Muslim Documentation Centre shall establish a data base with regard to peace process, devolution of power, unit of devolution, security, interim arrangements, resettlement of internally displaced North East Muslims and all relevant informations.
2. Situation Reports will be published monthly to be sent to all relevant organizations, such as international bodies, foreign diplomatic missions, media and international and local human rights organizations.
3. The Muslim Documentation Centre will create a lobby for representing Muslim Question internationally, particularly in the Human Rights Commission and also donor community and other relevant international organizations.
4. The Centre will hold periodic seminars and workshops to educate the stakeholders at village level with regard to Muslim question.
5. Purchase, Computerise, print and preserve more than 250 documents prepared during the last 30 years on vital issues which are very useful for politicians, civil society members and all concerned institutions and students.
6. Informations collected and recorded on the following also have to be purchased, printed and made available to all stakeholders.
 - a. Muslim Lands forcibly occupied by the Tamils in the North East - 25,930 cases.
 - b. Residential houses unlawfully occupied by the Tamils in the Northern Province - 11,110 cases.
 - c. Properties robbed by the LTTE during ethnic cleansing of Muslims from the North in 1990 - 13,682 cases
 - d. Personal, Residential and Occupational destructions to Muslim Tsunami victims in December 2004, in the Eastern Province - 20,091 cases.

Total number of cases 70,813 and each family has a separate file.

BUDGET FOR THE DOCUMENTATION CENTRE

NO.	DETAILS	TOTAL (Rs.)
I	Capital Expenditure	
1	Cost of Existing Records, Reports, Plans, Maps, Filing Cabinets and Printing	5,000,000.00
	Total Capital Expenditure	5,000,000.00
II	Annual Recurrent Expenditure	
a	Establishment:	
1	Rent @ 40,000 x 12	480,000.00
2	Electricity @ 10,000 x 12	120,000.00
3	Water @ 5,000 x 12	60,000.00
4	Telephone @ 10,000 x 12	120,000.00
5	Fax @ 5,000 x 12	60,000.00
6	E-mail @ 5,000 x 12	60,000.00
7	Internet @ 5,000 x 12	60,000.00
8	Website @ 15,000 x 12	180,000.00
9	Stationeries @ 25,000 x 12	300,000.00
10	Situation Report @ 25,000 x 12	300,000.00
11	Seminars & Conferences @ 100,000 x 4	400,000.00
12	Transport @ 50,000 x 12	600,000.00
13	Fuel	64,000.00
	Total	2,804,000.00
b	Salaries:	
1	Executive Director @ 50,000 x 12	600,000.00
2	Documentation Officer @ 25,000 x 12	300,000.00
3	Computer Operators-2 @ 15,000 x 12	360,000.00
4	Secretary @ 25,000 x 12	300,000.00
5	Driver @ 15,000 x 12	180,000.00
6	Office peon @ 7,500 x 12	90,000.00
	Total	1,830,000.00
7	EPF/ ETF 20%	366,000.00
	Total	2,196,000.00
	Total Annual Recurrent Expenditure	5,000,000.00
	GRAND TOTAL	10,000,000.00

LTTE - SLMC JOINT STATEMENT

தமிழ் விடுதலைப் புலிகள் - சிறுபங்கு முன்னிட்டு காவலர்கள்
கொஞ்சு அழிக்காத

[illegible][illegible][illegible]

1. What is the purpose of the document?
 2. What are the main findings of the study?
 3. What are the implications of the findings?
 4. What are the limitations of the study?
 5. What are the conclusions of the study?

This material pertains to the support and full program
 of the President and Vice President of the United States.

[illegible]

Schwinger's Variational Approach

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a formal address, and it begins with the words "My countrymen, in this new year, I have the honor to address you." The letter is a long and detailed one, and it covers a wide range of topics, including the state of the Union, the progress of the government, and the future of the country. It is a very important document, and it is one of the most famous speeches in American history.

[illegible]

1. Identify the subject and predicate of the sentence.
 The subject is "The cat" and the predicate is "sat on the mat."

[illegible]

12

**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, Trincomalee 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 SLMC on matters pertaining to the Muslims in the North East.

*Sgd.
V. Pirapaharan
National Leader – LTTE*

*Sgd.
Rauff Hackeem
National Leader -SLMC*

**CEASE FIRE AGREEMENT BETWEEN THE
GOVERNMENT OF SRI LANKA - GOSL AND THE
LIBERATION TIGERS OF TAMIL ELAM - LTTE**

Preamble

The overall objective of the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka.

The GOSL and the LTTE (hereinafter referred to as the Parties) recognize the importance of bringing an end to the hostilities and improving the living conditions for all inhabitants affected by the conflict. Bringing an end to the hostilities is also seen by the Parties as a means of establishing a positive atmosphere in which further steps towards negotiations on a lasting solution can be taken.

The Parties further recognize that groups that are not directly party to the conflict are also suffering the consequences of it. This is particularly the case as regards the Muslim population. Therefore, the provisions of this Agreement regarding the security of civilians and their property apply to all inhabitants.

With reference to the above, the Parties have agreed to enter into a ceasefire, refrain from conduct that could undermine the good intentions or violate the spirit of this Agreement and implement confidence-building measures as indicated in the articles below.

Article 1: Modalities of a ceasefire

The Parties have agreed to implement a ceasefire between their armed forces as follows:

1.1 A jointly agreed ceasefire between the GOSL and the LTTE shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs in accordance with Article 4.2, hereinafter referred to as D-day.

Military operations

1.2 Neither Party shall engage in any offensive military operation. This requires the total cessation of all military action and includes, but is not limited to, such acts as:

- a) The firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units;*
- b) Aerial bombardment;*
- c) Offensive naval operations.*

1.3 The Sri Lankan armed forces shall continue to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

Separation of forces

1.4 Where forward defence localities have been established, the GOSL's armed forces and the LTTE's fighting formations shall hold their ground positions, maintaining a zone of separation of a minimum of six hundred (600) metres. However, each Party reserves the right of movement within one hundred (100) metres of its own defence localities, keeping an absolute minimum distance of four hundred (400) metres between them. Where existing positions are closer than four hundred (400) metres, no such right of movement applies and the Parties agree to ensure the maximum possible distance between their personnel.

1.5 In areas where localities have not been clearly established, the status quo as regards the areas controlled by the GOSL and

the LTTE, respectively, on 24 December 2001 shall continue to apply pending such demarcation as is provided in article 1.6.

1.6 The Parties shall provide information to the Sri Lanka Monitoring Mission (SLMM) regarding defence localities in all areas of contention, cf. Article 3. The monitoring mission shall assist the Parties in drawing up demarcation lines at the latest by D-day + 30.

1.7 The Parties shall not move munitions, explosives or military equipment into the area controlled by the other Party.

1.8 Tamil paramilitary groups shall be disarmed by the GOSL by D-day + 30 at the latest. The GOSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GOSL armed forces for service away from the Northern and Eastern Province.

Freedom of movement

1.9 The Parties' forces shall initially stay in the areas under their respective control, as provided in Article 1.4 and Article 1.5.

1.10 Unarmed GOSL troops shall, as of D-day + 60, be permitted unlimited passage between Jaffna and Vavuniya using the Jaffna-Kandy road (A9). The modalities are to be worked out by the Parties with the assistance of the SLMM.

1.11 The Parties agree that as of D-day individual combatants shall, on the recommendation of their area commander, be permitted, unarmed and in plain clothes, to visit family and friends residing in areas under the control of the other Party. Such visits shall be limited to six days every second month, not including the time of travel by the shortest applicable route. The LTTE shall facilitate the use of the Jaffna-Kandy road for this purpose. The Parties reserve the right to deny entry to specified military areas.

1.12 The Parties agree that as of D-day individual combatants shall, notwithstanding the two-month restriction, be permitted, unarmed and in plain clothes, to visit immediate family (i.e. spouses, children, grandparents, parents and siblings) in connection with weddings or funerals. The right to deny entry to specified military areas applies.

1.13 Fifty (50) unarmed LTTE members shall as of D-day + 30, for the purpose of political work, be permitted freedom of movement in the areas of the North and the East dominated by the GOSL. Additional 100 unarmed LTTE members shall be permitted freedom of movement as of D-day + 60. As of D-day + 90, all unarmed LTTE members shall be permitted freedom of movement in the North and the East. The LTTE members shall carry identity papers. The right of the GOSL to deny entry to specified military areas applies.

Article 2: Measures to restore normalcy

The Parties shall undertake the following confidence-building measures with the aim of restoring normalcy for all inhabitants of Sri Lanka:

2.1 The Parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment.

2.2 The Parties shall refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities. Places of worship (temples, churches, mosques and other holy sites, etc.) currently held by the forces of either of the Parties shall be vacated by D-day + 30 and made accessible to the public. Places of worship which are situated in "high security zones" shall be vacated by all armed personnel and maintained in good order by civilian workers, even when they are not made accessible to the public.

2.3 Beginning on the date on which this Agreement enters into force, school buildings occupied by either Party shall be vacated and returned to their intended use. This activity shall be completed by D-day + 160 at the latest.

2.4 A schedule indicating the return of all other public buildings to their intended use shall be drawn up by the Parties and published at the latest by D-day + 30.

2.5 The Parties shall review the security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to introduce systems that will prevent harassment of the civilian population. Such systems shall be in place from D-day + 60.

2.6 The Parties agree to ensure the unimpeded flow of non-military goods to and from the LTTE-dominated areas with the exception of certain items as shown in Annex A. Quantities shall be determined by market demand. The GOSL shall regularly review the matter with the aim of gradually removing any remaining restrictions on non-military goods.

2.7 In order to facilitate the flow of goods and the movement of civilians, the Parties agree to establish checkpoints on their line of control at such locations as are specified in Annex B.

2.8 The Parties shall take steps to ensure that the Trincomalee-Habarana road remains open on a 24-hour basis for passenger traffic with effect from D-day + 10.

2.9 The Parties shall facilitate the extension of the rail service on the Batticaloa-line to Welikanda. Repairs and maintenance shall be carried out by the GOSL in order to extend the service up to Batticaloa.

2.10 The Parties shall open the Kandy-Jaffna road (A9) to non-military traffic of goods and passengers. Specific modalities shall be worked out by the Parties with the assistance of the Royal Norwegian Government by D-day + 30 at the latest.

2.11 A gradual easing of the fishing restrictions shall take place starting from D-day. As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions: (i) fishing will not be permitted within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security forces camps on the coast; (ii) fishing will not be permitted in harbours or approaches to harbours, bays and estuaries along the coast.

2.12 The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code.

2.13 The Parties agree to provide family members of detainees access to the detainees within D-day + 30.

Article 3: The Sri Lanka Monitoring Mission

The Parties have agreed to set up an international monitoring mission to enquire into any instance of violation of the terms and conditions of this Agreement. Both Parties shall fully cooperate to rectify any matter of conflict caused by their respective sides. The mission shall conduct international verification through on-site monitoring of the fulfilment of the commitments entered into in this Agreement as follows:

3.1 The name of the monitoring mission shall be the Sri Lanka Monitoring Mission (hereinafter referred to as the SLMM).

3.2 Subject to acceptance by the Parties, the Royal Norwegian Government (hereinafter referred to as the RNG) shall appoint the Head of the SLMM (hereinafter referred to as the HoM), who shall be the final authority regarding interpretation of this Agreement.

3.3 The SLMM shall liaise with the Parties and report to the RNG.

3.4 The HoM shall decide the date for the commencement of the SLMM's operations.

3.5 The SLMM shall be composed of representatives from Nordic countries.

3.6 The SLMM shall establish a headquarters in such place as the HoM finds appropriate. An office shall be established in Colombo and in Vanni in order to liaise with the GOSL and the LTTE, respectively. The SLMM will maintain a presence in the districts of Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai.

3.7 A local monitoring committee shall be established in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. Each committee shall consist of five members, two appointed by the GOSL, two by the LTTE and one international monitor appointed by the HoM. The international monitor shall chair the committee. The GOSL and the LTTE appointees may be selected from among retired judges, public servants, religious leaders or similar leading citizens.

3.8 The committees shall serve the SLMM in an advisory capacity and discuss issues relating to the implementation of this Agreement in their respective districts, with a view to establishing a common understanding of such issues. In particular, they will seek to resolve

any dispute concerning the implementation of this Agreement at the lowest possible level.

3.9 The Parties shall be responsible for the appropriate protection of and security arrangements for all SLMM members.

3.10 The Parties agree to ensure the freedom of movement of the SLMM members in performing their tasks. The members of the SLMM shall be given immediate access to areas where violations of the Agreement are alleged to have taken place. The Parties also agree to facilitate the widest possible access to such areas for the local members of the six above-mentioned committees, cf. Article 3.7.

3.11 It shall be the responsibility of the SLMM to take immediate action on any complaints made by either Party to the Agreement, and to enquire into and assist the Parties in the settlement of any dispute that might arise in connection with such complaints.

3.12 With the aim of resolving disputes at the lowest possible level, communication shall be established between commanders of the GOSL armed forces and the LTTE area leaders to enable them to resolve problems in the conflict zones.

3.13 Guidelines for the operations of the SLMM shall be established in a separate document.

Article 4: Entry into force, amendments and termination of the Agreement

4.1 Each Party shall notify its consent to be bound by this Agreement through a letter to the Norwegian Minister of Foreign Affairs signed by Prime Minister Ranil Wickremesinghe on behalf of the GOSL and by leader Velupillai Pirabakaran on behalf of

the LTTE, respectively. The Agreement shall be initialled by each Party and enclosed in the above-mentioned letter.

4.2 The Agreement shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs.

4.3 This Agreement may be amended and modified by mutual agreement of both Parties. Such amendments shall be notified in writing to the RNG.

4.4 This Agreement shall remain in force until notice of termination is given by either Party to the RNG. Such notice shall be given fourteen (14) days in advance of the effective date of termination.

Annexes

Annex A: List of goods

Annex B: Checkpoints

ANNEX A

The Parties agree to ensure the flow of non- military goods to and from LTTE dominated areas of the Northern and Eastern Province, as well as unimpeded flow of such goods to the civilian population in these areas. Non military goods not covered by article 2.6 in the Agreement are listed below:

- Non military arms/ammunition*
- Explosives*
- Remote control devices*
- Barbed wire*
- Binoculars/Telescopes*
- Compasses*
- Penlight batteries*

Diesel, petrol, cement and iron rods will be restricted in accordance with the following procedures and quantities:

- Diesel and petrol The Government Agents (GA) will register available vehicles; tractors and motorcycles in the LTTE controlled areas. The GA will calculate the required weekly amount of diesel and petrol based on the following estimate:

Trucks/Buses	250 litre/week
4 wheels tractor	310 litre/week
2 wheel tractor	40 litre/week
Petrol vehicle	30 litre/week
Motorcycles	7 litre/week
Fishing vessel	400 litre/week

- Cement required for rehabilitation and reconstruction of Government property; registeret co-operatives; or approved housing projects implemented by the GOSL and international NGOs and more affluent members of the society; will be brought in directly by relevant institutions under licenses issued by Government Agents. The GA shall stipulate the monthly quantities permitted for such project based upon planned and reported progress. Cement required for individual shops/constructions/ house owners/rehabilitation-initiatives will be made available through the co-operations on a commercial basis. The monthly import for this purpose will be limited to 5000 bags during the first month and thereafter 10 000 bags/month. Individual sales by the co-operatives will be registered and limited to 25 bags per household.

- Iron rods Iron rods for building constructions will be brought in to the LTTE controlled areas under licenses issued by the GA.

A monthly reassessment will be made to assess the possibilities of removal of the above restrictions.

ANNEX B

Checkpoints agreed in § 2.7 are as follows:

- *Mandur*
- *Paddirupur*
- *Kalidaveli Ferry Point*
- *Anbalantivu Ferry Point*
- *Mamunai Ferry Point*
- *Vanvunateevu*
- *Santhiveli Boat Point*
- *Black Bridge*
- *Sitandy Boat Point*
- *Kiran bridge*
- *Kinniyadi Boat Point*
- *Valachenai*
- *Makerni*
- *Mahindapura*
- *Muttur*
- *Ugilankulam*
- *Omanthai*

**LTTE PROPOSALS FOR AN
INTERIM SELF GOVERNMENT AUTHORITY
IN THE NORTH EAST**

Consistent with the principles of the rule of law, the human rights and equality of all persons, and the right to self-determination of Peoples,

Determined to bring lasting peace to all persons of the island of Sri Lanka,

Acknowledging with appreciation the services of the Royal Norwegian Government, the Norwegian People, and the international community in attempting to bring peace to the island,

Recognizing that a peaceful resolution is a real possibility, despite the challenging history of the peace process between the Tamil people and the Sinhala people,

Determined to establish an interim self-governing authority for the North East region and to provide for the urgent needs of the people of the North East by formulating laws and policies and, effectively and expeditiously executing all resettlement, rehabilitation, reconstruction, and development in the North East, while the process for reaching a final settlement remains ongoing.

Being aware that the history of the relations between the Tamil People and the Sinhala People has been a process of broken promises and unilateral abrogation, by successive governments of Sri Lanka, of pacts and agreements solemnly entered into between the government of Sri Lanka (GOSL) and the elected representatives of the Tamil People,

Bearing in mind that successive Governments of Sri Lanka have perpetrated persecution, discrimination, State violence and State-orchestrated violence against the Tamil People,

Noting that the Tamil people mandated their elected representatives to establish an independent sovereign, secular State for the Tamil people in the elections subsequent to the Vaddukoddai Resolution of 1976,

Bearing in mind that the Tamil armed struggle as a measure of self-defense and as a means for the realisation of the Tamil right to self-determination arose only after more than four decades of non-violent and peaceful constitutional struggle proved to be futile and due to the absence of means to resolve the conflict peacefully,

Recalling that the Liberation Tigers of Tamil Eelam (LTTE) first took measures towards peace by unilaterally declaring the ceasefire in December, 2000 and again in December, 2001, opening highways, facilitating trade and the free movement of people, and entering into peace negotiations in good faith in the hope of creating an environment conducive to the return of normalcy and a just resolution of the conflict,

Taking Note of the political courage of the present GOSL in reciprocating to the 2001 cease-fire,

Realizing that the war in the island of Sri Lanka was principally confined to the North East, resulting in the destruction of the social, economic, administrative, and physical infrastructure of that area, and that the North East still remains the region in the island of Sri Lanka affected by war,

Recognising that the majority of the Tamil People in the North East, by their actions in the general elections held in the year

2000, gave their mandate acknowledging the LTTE as their authentic representative,

Knowing that the LTTE exercises effective control and jurisdiction over the majority of the North East area of the island of Sri Lanka,

Realising that reaching a final negotiated settlement and the implementation thereof is expected to be a long process,

Affirming the necessity for the safe and free return of all refugees and displaced persons and their urgent need for unimpeded access to their homes and secure livelihoods at land and sea in the North East,

Mindful that institutions and services provided by the GOSL have proved to be inadequate to meet the urgent needs of the people of the North East,

Recognising the failure of the Sub-committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN) and other Sub-Committees formed during the peace negotiations, which failure was due to the composition of such Sub-Committees, which repeatedly led to inaction,

Acknowledging the recognition by the GOSL of the necessity for an Interim Authority, as mentioned in its 2000 election manifesto,

Realising that maintenance of law and order is an essential pre-requisite for a just and free society,

Recognising the need for raising revenue to meet the urgent needs for the Resettlement, Rehabilitation, Reconstruction and Development of the North East region, which has been devastated by war, and for the carrying out of any function of Government,

Recognising the importance of control over land in resettlement, rehabilitation, reconstruction and development,

Mindful that the Tamils did not participate in the making of the 1972 and 1978 constitutions, which institutionalized discrimination and denied them an effective role in the decision-making process,

Noting the practice in international relations over the last decade of solving conflicts between Peoples through agreement between the parties to the conflict on terms of equality and through innovative and imaginative measures,

Relying on international precedents for establishing interim governing arrangements in war-torn countries having the force of law based solely on pacts or agreements between the warring parties recognized by the international community,

Noting that measures such as the Ceasefire Agreement, including the role of the Sri Lanka Monitoring Mission (SLMM), and, the establishment of the SIHRN and the North East Reconstruction Fund (NERF) constitute valid precedents for making such arrangements,

Wherefore, the Parties, namely the Liberation Tigers of Tamil Eelam and the Government of Sri Lanka, hereby agree to the following provisions:

1. Interim Self-Governing Authority

An Interim Self-Governing Authority (ISGA) shall be established comprised of the eight districts namely: Amparai, Batticaloa, Jaffna, Kilinochchi, Mannar, Mullaitivu, Trincomalee and Vavuniya in the North East, until a final negotiated settlement is reached and implemented.

Representatives of the Muslim community have the right to participate in formulation of their role in the ISGA.

2. Composition of the ISGA

2.1. The ISGA shall consist of such number of members as may be determined by the Parties to this Agreement.

2.2. The composition of the ISGA shall be:

2.2.a. Members appointed by the LTTE,

2.2.b. Members appointed by the GOSL, and

2.2.c. Members appointed by the Muslim community in the North East.

2.3. The number of members will be determined to ensure:

2.3.a. An absolute majority of the LTTE appointees in the ISGA.

2.3.b. Subject to (a) above, the Muslim and Sinhala Communities in the North East shall have representation in the ISGA.

2.4. The Chairperson shall be elected by a majority vote of the ISGA and shall serve as the Chief Executive of the ISGA.

2.5. The Chairperson shall appoint the Chief Administrator for the North East and such other officers as may be required to assist in the performance of his/her duties. The Chairperson shall have the powers to suspend or terminate any such appointment.

3. Elections

The provisions of Clauses 2.2 and 2.3 shall continue until elections for the ISGA are held. Such elections shall be held at the expiry of five years of the coming into force of this Agreement, if no final settlement has been reached and implemented by the end of the said period of five years. An independent Election Commission, appointed by the ISGA, shall conduct free and fair elections in accordance with international democratic principles and standards under international observation.

4. Human Rights

The people of the North East shall be accorded all rights as are provided under international human rights law. Every law, regulation, rule, order or decision of the ISGA shall conform to internationally accepted standards of human rights protection. There shall be an independent Human Rights Commission, appointed by the ISGA, which shall ensure the compliance with all such human rights obligations. The Commission will seek the assistance of international human rights bodies to facilitate the rapid establishment of an effective regime for protecting human rights. The Commission shall be entitled to receive petitions from any individual person, award compensation to any such affected person, and ensure that such person's rights are restored.

5. Secularism

No religion shall be given the foremost place in the North East.

6. Prohibition against Discrimination

The ISGA shall ensure that there is no discrimination on grounds of religion, race, caste, national or regional origin, age or gender in the North East.

7. Prevention of Bribery and Corruption.

The ISGA shall ensure that no bribery or corruption is permitted in or under its administration.

8. Protection of All Communities

No law, regulation, rule, order or decision that confers a privilege or imposes a disability on any community, which is not conferred or imposed on any other community, shall be made concerning culture or religion.

9. Jurisdiction of the ISGA.

9.1. The ISGA shall have plenary power for the governance of the North East including powers in relation to resettlement,

rehabilitation, reconstruction, and development, including improvement and upgrading of existing services and facilities (hereinafter referred to as RRRD), raising revenue including imposition of taxes, revenue, levies and duties, law and order, and over land.

These powers shall include all powers and functions in relation to regional administration exercised by the GOSL in and for the North East.

9.2. The detailed modalities for the exercise of such powers and the performance of such functions shall be subject to further discussion by the parties to this agreement.

10. Separation of Powers

Separate institutions for the administration of justice shall be established for the North East, and judicial powers shall be vested in such institutions. The ISGA shall take appropriate measures to ensure the independence of the judges.

Subject to Clauses 4 (Human Rights) and 22 (Settlement of Disputes), of this Agreement, the institutions created under this clause shall have sole and exclusive jurisdiction to resolve all disputes concerning the interpretation and implementation of this agreement and any other disputes arising in or under this agreement or any provision thereof.

11. Finance

The ISGA shall prepare an annual budget.

There shall be a Financial Commission consisting of members appointed by the ISGA. The members should have distinguished themselves or held high office in the fields of finance, administration or business. This Commission shall make recommendations as to the amount out of the Consolidated Fund to be allocated to the North East. The GOSL shall make its good faith efforts to implement the recommendation.

The ISGA will, giving due consideration to an equitable distribution, determine the use of funds placed at its disposal.

These funds shall include the North East General Fund, the North East Reconstruction Fund (NERF) and the Special Fund.

The GOSL agrees that any and all of its expenditures in or for the North East shall be subject to the control of the ISGA.

11.1. North East General Fund

The North East General Fund shall be under the control of ISGA and shall consist of:

11.1.a. The proceeds of all grants and loans made by the GOSL to the ISGA and the proceeds of all other loans made to the ISGA.

11.1.b. All allocations by the GOSL from agreements with states, institutions and/or other organizations earmarked in any such agreements for the North East.

11.1.c. All other receipts of the ISGA, other than the funds specified below.

11.2. North East Reconstruction Fund

The NERF shall continue to exist in its present form except that control over it will be transferred to the ISGA.

All grants given for the reconstruction of the North East, will be received through the NERF. Utilization of resources from NERF will be directly determined and supervised by the ISGA.

11.3. Special Fund

All loans and any grants which cannot be channeled through the NERF for the specific purpose of RRRD will be received into the Special Fund. As in the case of other Funds, the ISGA shall control the Special Fund.

12. Powers to Borrow, Receive Aid and Trade.

The ISGA shall have powers to borrow internally and externally, provide guarantees and indemnities, receive aid directly, and engage in or regulate internal and external trade.

13. Accounting and Auditing of Funds.

13.1. The ISGA shall appoint an Auditor General.

13.2. All Funds referred to in this Agreement shall be operated, maintained and audited in accordance with internationally accepted accounting and auditing standards. The accounts

will be audited by the Auditor General. The auditing of all moneys received from international sources shall be subjected to approval by an internationally-reputed firm appointed by the ISGA.

14. District Committees.

14.1. In the effective exercise of its legislative and executive powers, the ISGA may create District Committees to carry out administration in the districts and delegate to such Committees, such powers as the ISGA may determine. The Chairpersons of such committees shall be appointed by the ISGA from amongst its members in order to serve as a liaison between the ISGA and the Committees.

14.2. The other members of the Committees shall also be appointed by the ISGA, which shall have the powers to suspend or terminate any such appointment. In appointing such members, due consideration shall be given to ensure representation of all communities.

14.3. The Committees will function directly under the ISGA.

14.4. The Chief Administrator of the ISGA shall appoint Principal Executive Officers in the districts, who shall also function as the Secretaries to the Committees. The Chief Administrator shall have the powers to suspend or terminate any such appointment.

14.5. All activities and functions of the Committees shall be coordinated through the respective Secretaries to the Committees.

14.6. Sub-committees may also be appointed to facilitate administration.

15. Administration

As part of the exercise of its executive powers the ISGA shall have direction and control over any and all administrative structures and personnel in the North East pertaining to the powers set out in Clause 9 of this Agreement.

The ISGA may, at its discretion, create expert advisory committees in necessary areas. These areas will include but are not limited to Economic Affairs, Financial Affairs, Judicial Affairs, Resettlement and Rehabilitation Affairs, Development of Infrastructure, and Essential Services.

16. Administration of Land

Since land is vital to the exercise of the powers set out in Clause 9 (jurisdiction of the ISGA), the ISGA shall have the power to alienate and determine the appropriate use of all land in the North East that is not privately owned.

The ISGA shall appoint a Special Commission on Administration of Land to inquire into and report on the rights of dispossessed people over land and land subject to encroachment, notwithstanding the lapse of any time relating to prescription.

The ISGA shall determine the term of competencies of the Special Commission.

17. Resettlement of Occupied Lands

The occupation of land by the armed forces of the GOSL, and the denial to the rightful civilian owners of unfettered access to such land, is a violation of the norms of international law. Such land must be immediately vacated and restored to the possession of the previous owners. The GOSL must also compensate the owners for the past dispossession of their land.

The ISGA shall be responsible for the resettlement and rehabilitation of displaced civilians and refugees in such lands.

18. Marine and off-shore resources

The ISGA shall have control over the marine and offshore resources of the adjacent seas and the power to regulate access thereto.

19. Natural Resources

The ISGA will have control over the natural resources in the North East region. Existing agreements relating to any such natural resources will continue in force. The GOSL shall ensure that all monies due under such agreements are paid to the ISGA. Any future changes to such existing agreements should be made with the concurrence of the ISGA. Future agreements shall be entered into with the ISGA.

20. Water Use

Upper riparian users of river systems have a duty to ensure that there is a fair, equitable and reasonable use of water resources by lower riparian users. The GOSL and the ISGA shall ensure that

this internationally recognized principle is followed in the use of water resources.

21. Agreements and contracts

All future agreements concerning matters under the jurisdiction of the ISGA shall be made with the ISGA. Existing agreements will continue, but the GOSL shall ensure that all proceeds under such agreements are paid to the ISGA. Any changes to such existing agreements should be made with the concurrence of the ISGA.

22. Settlement of Disputes

Where a dispute arises between the Parties to this Agreement as to its interpretation or implementation, and it cannot be resolved by any other means acceptable to the Parties including conciliation by the Royal Norwegian Government, there shall be an arbitration before a tribunal consisting of three members, two of whom shall be appointed by each Party. The third member, who shall be the Chairperson of the tribunal, shall be appointed jointly by the Parties concerned. In the event of any disagreement over the appointment of the Chairperson, the Parties shall ask the President of the International Court of Justice to appoint the Chairperson.

In the determination of any dispute the arbitrators shall ensure the parity of status of the LTTE and the GOSL and shall resolve disputes by reference only to the provisions of this Agreement.

The decision of the arbitrators shall be final and conclusive and it shall be binding on the Parties to the dispute.

23. Operational Period

This Agreement shall continue until a new Government for the North East, pursuant to a permanent negotiated settlement, is established. The Parties will negotiate in good faith to reach such a settlement as early as possible.

Provided, however, that at the end of four years if no final agreement has been reached between the Parties to this agreement, both Parties shall engage in negotiations in good faith for the purpose of adding, clarifying, and strengthening the terms of this Agreement.

**TOKYO DECLARATION ON
RECONSTRUCTION AND DEVELOPMENT OF
SRI LANKA**

10 June 2003

Outline of the Conference

1. The Tokyo Conference on Reconstruction and Development of Sri Lanka was held on June 9 and 10 in Tokyo with the participation of Ministers and representatives from 51 countries and 22 international organizations. The list of participating countries and international organizations is attached. The Prime Minister of Japan, Mr. Junichiro Koizumi, and the Prime Minister of Sri Lanka, Mr. Ranil Wickremesinghe made opening statements. The opening session was chaired by Mr. Yasushi Akashi, Representative of the Government of Japan.

2. Japan, Norway, the United States and the European Union (Presidency and Commission) functioned as co-chairs of the Conference. Representatives of the co-chairs, Minister for Foreign Affairs of Japan, Ms. Yoriko Kawaguchi; State Secretary, the Ministry of Foreign Affairs of Norway, Mr. Olav Kjoerven; Deputy Secretary of State of the United States, Mr. Richard L. Armitage; Mr. Ioannis Theophanopoulos, representing the Presidency of the European Union; and Mr. Bernhard Zepter, representing the European Commission, delivered statements at the opening session. The President of the Asian Development Bank (ADB), Mr. Tadao Chino also delivered a statement at this session, followed by a video message from the President of the World Bank, Mr. James Wolfensohn.

3. In the operative session, the Governor of the Central Bank of Sri Lanka, Mr. A.S. Jayawardena reported on economic developments and prospects of Sri Lanka. The International

Monetary Fund and the World Bank reported on Sri Lanka's macro-economic performance and the reconstruction and development agenda of Sri Lanka. The ADB and the United Nations (UN) system reviewed the "Needs Assessment" of the North and East prepared by the World Bank, the ADB and the UN system in full consultation with the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). Civil society organizations were consulted during this process.

4. In the plenary session, participating countries and international organizations presented statements which identified their intention to provide economic assistance to Sri Lanka. Presentations were made on the contributions of civil society organizations and of private enterprise to the development objectives of the country.

History of the Sri Lankan Peace Process

5. The armed conflict in Sri Lanka in the last two decades has claimed more than 65,000 lives, and has resulted in more than 800,000 internally displaced persons and a large number of refugees from the North and East. The current peace process commenced in 2000, when Sri Lankan President, Ms. Chandrika Bandaranaike Kumaratunga, and LTTE leader, Mr. Vellupillai Pirapaharan, asked Norway to serve as the impartial facilitator for peace negotiations. The Government of Sri Lanka and the LTTE entered into a mutual cease-fire agreement on February 23, 2002, with the able facilitation by Norway. Since September 2002, six sessions of talks have been conducted between the two parties and significant progress has been achieved. Participating countries and international organizations, which met in Oslo on November 25, 2002, committed themselves to providing immediate humanitarian assistance in support of the peace process. In April 2003, a pre-Tokyo Seminar was held in Washington DC chaired by the US Deputy Secretary of State with a view to building political momentum for the Tokyo Conference.

Objectives of the Conference

6. *The objectives of the Conference are to provide the international community with an opportunity to demonstrate its strong and unified commitment to the reconstruction and development of Sri Lanka and to encourage the parties to redouble their efforts to make further progress in the peace process. While only one party to the peace process is present at the Conference, the international community takes the opportunity to demonstrate its commitment to support the establishment by the parties of the necessary administrative structure for the effective reconstruction and development of the North and East. A partnership between the Government of Sri Lanka and the LTTE will be necessary to rebuild these areas effectively. Adequate safeguards to secure the interests of all other communities should be included in this framework.*

7. *The Conference takes note of the economic challenges faced by the country and in this context endorsed the Government's "Regaining Sri Lanka" initiative, which is a comprehensive programme to develop Sri Lanka on a balanced and equitable basis.*

8. *Participants express their regret over the absence of the LTTE from the Tokyo Conference. The Conference provides the Government of Sri Lanka with an opportunity to reaffirm its determination to pursue the peace process, and focus on the reconstruction and development of Sri Lanka.*

Importance of the Conference in Promoting the Peace Process

9. *Participants express the view that a negotiated settlement in Sri Lanka will be a landmark achievement with regard to peaceful resolution of an armed conflict. The Conference commends both parties for their commitment to a lasting and negotiated peace based on a federal structure within a united Sri Lanka. Furthermore, the Conference stresses the importance of bringing tangible dividends of peace to all the people of Sri Lanka.*

Balanced Humanitarian and Economic Assistance

10. The Conference notes the importance of urgent humanitarian assistance as well as medium to long-term assistance to rebuild the conflict-affected areas in the North and East, and to assist in the development of the entire country. The Conference emphasizes the importance of taking full account of the delicate ethnic and geographical balance in providing assistance. The Conference welcomes the “Needs Assessment” of the North and East, which identified needs in the conflict-affected areas. The donor community expresses its willingness to extend assistance to Sri Lanka based on the source material provided for the Conference namely, “Regaining Sri Lanka”, the “Needs Assessment” of the North and East, the “Needs Assessment” for the conflict-related districts adjacent to the North and East, and the Bridging Document, which links the “Needs Assessments” and “Regaining Sri Lanka”.

Support Indicated by the Donors

11. The participating donor countries and international organizations have demonstrated their willingness to extend assistance to the entire country, to a cumulative estimated amount, in excess of US \$ 4.5 billion over the four year period, 2003-2006. In addition, some countries and international organizations have offered technical support. Others have indicated that their commitments are based upon an assumption of a viable peace process.

12. Several countries and international organizations have specified significant part of their assistance to the North and East. A number of them have indicated that disbursement of such assistance will keep pace with satisfactory progress in the peace process; and others have indicated that, given such progress, they would be willing to consider making additional commitments.

Channels of Assistance to the North and East

13. The international community remains committed to supporting humanitarian relief and human rights protection, and takes the

opportunity to encourage the parties to reach agreement on an innovative administrative structure for the reconstruction and development of the North and East. The international community also reiterates its commitment to cooperate with the parties for this purpose. This structure will itself contribute to the process of reconciliation in Sri Lanka. The Conference recognizes with satisfaction that implementation of some humanitarian assistance projects is already taking place in the North and East through bilateral and multilateral channels in cooperation with local and international NGOs. The Conference also welcomes the establishment of the “North-East Reconstruction Fund (NERF)”, which is to be administered by the World Bank, as an important channel for assistance to the North and East. The Conference also emphasizes the need for flexibility by the Government of Sri Lanka and the LTTE in accepting various forms of assistance from the donor community. The donor community also expresses its willingness to assist capacity building to enhance good governance so as to ensure accountable, transparent, speedy and efficient implementation of projects supported with its assistance.

Importance of Strong and Growth Oriented Macro-Economic Policy

14. The Conference notes that it is imperative for the Government of Sri Lanka to implement the sound macro-economic policy delineated in “Regaining Sri Lanka”. The Conference stresses the need to adopt economic policies aimed at reducing poverty. Sustainable development also depends upon economic growth and job creation as well as encouragement of private enterprise.

Progress of the Peace Process

15. The Conference notes that during the past sessions of the peace talks, significant progress was achieved. Donors remind the Government of Sri Lanka and the LTTE of the importance for both parties to make their utmost efforts to further promote the peace process founded upon the principles reflected in the

Oslo Declaration. Donors recognize the urgent need to support the people in the conflict-affected areas of the North and East, and make allocations towards this purpose. With regard to the North and East, priority-setting and project-implementation will take place with the Government working in partnership with the LTTE, and with adequate safeguards for the interests of all communities. The Conference expects that the Government will ensure that the assistance pledged by the donor community to the reconstruction and development of the North and East is utilized specifically for that purpose.

16. The Conference also urges the parties to move expeditiously to a lasting and equitable political settlement. Such a settlement should be based upon respect for human rights, democracy and the rule of law. In this regard, the Conference looks forward to the parties reaching early agreement on a human rights declaration, as discussed at the sixth session of peace negotiations at Hakone.

17. The Conference welcomes the LTTE's commitment to the negotiated peace process, and urges the LTTE to return to the peace talks as soon as possible. The people in the conflict-affected areas of the North and East must be able to enjoy the dividends of peace immediately. Manifest commitment by both the Government of Sri Lanka and the LTTE to further the peace process will be necessary for the provision of international assistance to the reconstruction and development of the conflict-affected areas of the North and East.

Linkage between Donor Support and Progress in the Peace Process

18. Assistance by the donor community must be closely linked to substantial and parallel progress in the peace process towards fulfilment of the objectives agreed upon by the parties in Oslo. The Conference encourages the Government of Sri Lanka and

the LTTE to enter into discussions as early as possible on a provisional administrative structure to manage the reconstruction and development aspects of the transition process. The process would need the expeditious development of a roadmap with clear milestones indicating the path towards a mutually acceptable final political solution. With this in view, the international community intends to review and monitor the progress of the peace process closely, with particular reference to objectives and milestones including:

- a. Full compliance with the cease-fire agreement by both parties.*
- b. Effective delivery mechanisms relating to development activity in the North and East.*
- c. Participation of a Muslim delegation as agreed in the declaration of the fourth session of peace talks in Thailand*
- d. Parallel progress towards a final political settlement based on the principles of the Oslo Declaration.*
- e. Solutions for those displaced due to the armed conflict.*
- f. Effective promotion and protection of the human rights of all people.*
- g. Effective inclusion of gender equity and equality in the peace building, the conflict transformation and the reconstruction process, emphasizing an equitable representation of women in political fora and at other decision-making levels.*
- h. Implementation of effective measures in accordance with the UNICEF-supported Action Plan to stop underage recruitment and to facilitate the release of underage recruits and their rehabilitation and reintegration into society.*
- i. Rehabilitation of former combatants and civilians in the North and East, who have been disabled physically or psychologically due to the armed conflict.*
- j. Agreement by the Government of Sri Lanka and the LTTE on a phased, balanced, and verifiable de-escalation, de-militarization and normalization process at an appropriate time in the context of arriving at a political settlement.*

Inputs from Civil Society Organizations and Private Enterprise

19. *The Conference welcomes the inputs from the civil society meetings held in Colombo on 26-27 April 2003 and in Tokyo on 8 June 2003. The Conference is of the view that the intensity and continuity of involvement on the part of civil society organizations are essential to achieve success in the challenging task undertaken by the parties. The Conference is encouraged by the dynamic role played by private enterprise. The Conference also recognizes the contribution of academic communities, trade unions, professional groups, religious organizations and others.*

Monitoring and Review

20. *In view of the linkage between donor support and progress in the peace process, the international community will monitor and review the progress in the peace process. In implementing its own assistance programmes, the donor community intends to take into careful consideration the results of these periodic reviews. With full regard to the position of Norway as the facilitator, Japan, in cooperation with the United States and the European Union, will undertake necessary consultations to establish the modalities for this purpose as early as possible.*

Follow-up Action

21. *The Conference requests the Government of Japan, as the host country, to convey the outcome of the Conference to the LTTE.*

List of Participating Countries and International Organizations of Tokyo Conference on Reconstruction and Development of Sri Lanka 09 and 10 June 2003, Tokyo

Commonwealth of Australia

Republic of Austria

People's Republic of Bangladesh

Kingdom of Belgium

Federative Republic of Brazil

Brunei Darussalam

Kingdom of Cambodia
Canada
People's Republic of China
Kingdom of Denmark
Arab Republic of Egypt
Republic of Finland
French Republic
Federal Republic of Germany
Hellenic Greece
State of the City of Vatican
Republic of Iceland
India
Republic of Indonesia
Islamic Republic of Iran
Ireland
State of Israel
Republic of Italy
Japan
Republic of Korea
State of Kuwait
Lao People's Democratic Republic
Grand Duchy of Luxembourg
Malaysia
Kingdom of Nepal
Kingdom of the Netherlands
New Zealand
Kingdom of Norway
Sultanate of Oman
Islamic Republic of Pakistan
Republic of the Philippines
Portuguese Republic
Russian Federation
Kingdom of Saudi Arabia
Republic of Singapore
Republic of South Africa

Spain
Democratic Socialist Republic of Sri Lanka
Kingdom of Sweden
Swiss Confederation
Kingdom of Thailand
Ukraine
United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United States of America
Socialist Republic of Viet Nam
European Commission
Asian Development Bank
Asian Productivity Organization
Food and Agriculture Organization of the United Nations
International Committee of the Red Cross
International Federation of Red Cross and Red Crescent Societies
International Fund for Agricultural Development
International Labor Organization
International Monetary Fund
International Organization for Migration
Multilateral Investment Guarantee Agency
United Nations Secretariat
United Nations Human Settlement Programme
United Nations Development Programme
United Nations Population Fund
United Nations High Commissioner for Refugees
United Nations Children's Fund
United Nations Educational, Scientific and Cultural Organization
United Nations Office on Drugs and Crime
United Nations World Food Programme
World Health Organization
World Bank

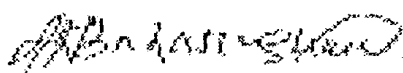
**OSLO CONSENSUS TO EXPLORE
A POLITICAL SOLUTION
BASED ON FEDERAL STRUCTURE
WITHIN A UNITED SRI LANKA.**

Record of Decisions on 05.12.2002,

***Third session of peace talks held at the Radisson SAS Plaza Hotel
in Oslo from 2 to 5 December 2002,***

***Working Outline for the Discussion of Political Matters.
This includes the following statement:***

***“Responding to a proposal by the leadership of the LTTE, the
parties agreed to explore a solution founded on the principle of
internal self-determination in areas of historical habitation of the
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.”***


Mr. Anton Balasingham
Head of the Delegation
of the LTTE


Mr. G.L. Peiris
Head of the Delegation
of the Sri Lankan Government


Mr. Vidar Helgesen
Deputy Minister of Foreign Affairs,
Head of the Norwegian Facilitation Team

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



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SECRET

3rd March, 2007

Hon. A. Paul Wickrematunge,
Minister of Port Development & Shipping,
Eastern Development & Muslim Religious Affairs,
43, Laydon Bastian Road,
Colombo 01

Dear Sir,

Committees to Address Land Issues in the Eastern Province


At the 8th Session of Peace Talks held in Berlin (17 - 21 February, 2007), 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 Association and six representatives of the LTTE. The work of the Committee will start immediately. Similar committees will be established to address land 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 to appoint 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 Step 6 would need to be placed at the next session of talks in Japan.

Yours sincerely,


for Director General

PS:

TO: Hon. A. Paul Wickrematunge, Minister of Port Development & Shipping,
Eastern Development & Muslim Religious Affairs,
43, Laydon Bastian Road, Colombo 01.

From:
Director General
1st Floor

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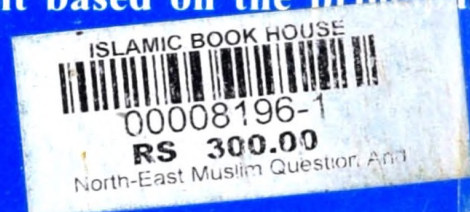
M.I.M. Mohideen

Chairman Muslim Rights Organisation (MRO), Secretary General North East Muslim Peace Assembly (NEMPA), Managing Director Muslim Reconstruction and Resettlement Organisation (MRRO), Coordinator for the Eastern Province Tamil Muslim Peace Committee for the resolution of ethnic conflict. He was also the former Joint Secretary of All Ceylon Muslim League, Founder Secretary General of Muslim United Liberation Front, National Coordinating Secretary of the Sri Lanka Muslim Congress (SLMC) and Member of the Muslim team participated in the Peace Talks with the Government of Sri Lanka and Liberation Tigers of Tamil Eelam.

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 destruction of more than 150 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. Therefore, the North East Muslims have to be vigilant in the future. Our primary concern is the safety and security of our people, rights for our areas of historical habitation, resettlement of the forcibly displaced North East Muslims and power sharing on the basis of internal self-determination.

The violence perpetrated against the North East Muslims during the last two decades has shown us that we have not succeeded in drawing attention to our problems internationally. When more than hundred thousand Muslims were forcibly evicted from the North-East by the Tamil militants there was very little protest from International bodies. We have learnt over the years that the natural mechanisms including the Government, have failed to afford adequate protection to the North East Muslims. To ensure adequate protection we have no option but to make use of the protocols and instruments available to us internationally under the Charter of the United Nations. We need therefore to ensure that we represent our case in all United Nations bodies and other International fora. A lobby also must function to inform other international institutions regularly.

We are also quite aware that internationalization alone will not bring practical solution to the problems faced by the North East Muslims in Sri Lanka. It is imperative to work out special programmes and proposals aimed at providing durable settlement of our problems and for initiating and sustaining a dialogue process with other communities and the government based on the principals of equality, mutual accommodation and pluralism.



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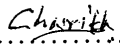
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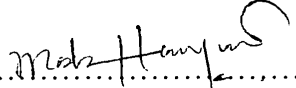
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