

博士学位論文審査要旨

2014年2月4日

論文題目： Internally Displaced Persons (IDPs) and Ethnic Minorities:
A Case Study of Muslim IDPs in the Puttalam District of Sri Lanka
国内避難民とエスニックマイノリティー
ースリランカのプットラム郡のムスリム国内避難民を事例にー

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要 旨：

The phenomenon of internally displaced persons (IDPs) is one of the serious human security challenges generally faced in on-going conflict and post-conflict societies. The protection of IDPs is usually the task of the government and thus is a matter of state sovereignty while that of refugees is regarded as the role of international community including the United Nations High Commission of Refugees (UNHCR). However, in highly ethnically politicized states like Sri Lanka, the majority-led policy formulation often hampers the protection of the minority IDPs during and in the post-conflict contexts. The objective of this study is to analyze how the minority's rights have been affected by a protracted armed conflict, particularly in the case of the smaller minority, Muslims, in a highly ethnically polarized state, in Sri Lanka, that experienced a 26 year long armed conflict between the government force led by the majority Sinhalese and the army of LTTE (Liberation Tigers of Tamil Eelam) led by the larger minority group, Tamils. The primary source of this study comes from the author's field research conducted in 2008, 2010 and 2011 particularly in the Puttalam District where Muslims mainly live. The dissertation consists of six chapters including introduction and conclusion.

In Chapter 1, the author explains major trends in the study of IDPs from the perspective of the minority rights, and states that not much study has been made on the human rights abuse of the smaller minority group as the focus is usually made on the two conflicting parties, namely, the majority vs. the larger minority. This chapter also covers the theoretical framework, the research methodology and significance of this study. Chapter 2 finds that the prolonged armed conflict affected all ethnic groups while the disproportionately bigger number of the IDPs were found among Muslims. The number of factors that caused this phenomenon were identified in this chapter, too.

Chapter 3 discusses various phases in which Northern Muslim IDPs continued to be marginalized particularly in the Puttalam District, the focus area of the case study. Political and economic and social vulnerability of Muslim IDPs as the smaller minority are well documented. Chapter 4 analyzes the failure of political alliances among Muslims with the Sinhala majority and the limitation of the Muslim representation during the conflict as

IDPs in Sri Lanka. It is noted that both the Sri Lankan government and international organizations often pay less attention on the Muslim IDPs when compared to Tamil and Sinhala ethnic IDPs in Sri Lanka.

Chapter 6 is the concluding chapter that provides an overview of each chapter's conclusion and state the overall conclusion based on the research objective and theoretical background. Moreover, this chapter also focuses on the limitation of this study and suggests some identified issues for future research in the field of IDPs and ethnic minorities in Sri Lanka.

4. Major Findings

1. The prolonged armed conflict has violated all minority rights and produced more IDPs from the Tamil and Muslim ethnic groups in Sri Lanka. It is noted that the prolonged armed conflict has affected the livelihood of ethnic minorities and their security issues mostly in the North and Eastern Provinces.

2. Muslim IDPs who live in the Puttalam district do not receive enough protection either from the Sri Lankan government or any international organizations. From the Muslim IDPs' point of view, they have been excluded from many development projects which the Sri Lankan government has introduced for the IDPs, especially in the post-conflict era (after 2009).

3. International organizations often pay less attention to Muslim IDPs in Sri Lanka than to other groups. After the conflict ended in May 2009, many donor countries and international organizations provided large amounts of money for the Tamil IDPs and urged the Sri Lankan government to repatriate them to their previous home. However, none of these organizations provide any financial assistance particularly to the Muslim IDPs.

4. Muslim IDPs are economically vulnerable, politically marginalized and being the smaller minority they are isolated from development projects in Sri Lanka. This research suggests that special attention is needed to protect the smaller minority (Muslim IDPs), in the conflict both domestically and internationally.

well as in the post-conflict period. Chapter 5 examines the effectiveness and the limitation of domestic and international assistance toward the protection of IDPs in Sri Lanka. This study maintains that the donor coordination of the government also produced a gap between the Tamil and Muslim IDPs in terms of their receiving resources such as housing, access to employment, etc.

Chapter 6 is the conclusion. The author concludes that the vulnerability of the smaller minority gets intensified during the armed conflict while one of the root causes of the armed conflict lies in the grievance of the minority, mainly the larger minority as was observed in Sri Lanka's case. It is within such a context that the victimization of the smaller minority becomes invisible yet actually severely occurs. Thus, political, economic and social reforms are fundamentally necessary in the normalized processes of the post-conflict setting. Besides, this study suggests that a more united consolidation of the smaller minority group is required. To the international community, the author recommends the neutrality of the donor agencies to mitigate the already existing disparity of political powers among the majority and other minority groups.

This dissertation is a pioneering work in the study of the minority rights in the protracted conflict and is a well-documented work through the analysis of the case study of Muslim IDPs in the Puttalam District. In particular, this study is significant in the sense that it identifies a problematic mechanism in which the IDP protection regime is in the hand of state sovereignty free from international intervention, but is manipulated by undemocratic polity in a highly ethnically confronted state like Sri Lanka. Thus, the thesis of this dissertation has an implication for other conflict states where ethnically politicized politics is prevalent. Some of the major findings are already published in the refereed two journals.

For the above-mentioned reasons, this dissertation is judged appropriate to grant Doctor of Philosophy in Global Society Studies, Graduate School of Global Studies in Doshisha University.

学力確認結果の要旨

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要 旨：

申請者の Mohamed Shareef ASEES(モハメド シャリフ アシース)氏は、名古屋大学大学院国際開発研究科にて2010年3月博士論文候補者となり満期退学し、スリランカに帰国し、コロンボ大学政治学部にて教鞭をとりながら、博士論文を執筆し、本研究科には、2012年に約3カ月外国人研究員として研究活動に従事した。またスリランカでは開発コンサルタントとして人権NGOの活動にも貢献した経歴をもつ。本研究科にはそれらの経験も活かし、論文博士として2013年11月30日に博士論文を提出した。それを受け、審査委員が教授会で選考され、3名の審査員による博士論文公開審査が2014年1月15日午後13時から15時まで実施された。まず博士論文の概要について40分の発表があり、口述試験として論文、論文テーマに関連する専門分野について、3名の審査委員による試問が30分間質疑応答の形で実施されたが、的確に答えることができた。その際、論文が英語で執筆されることから、発表と質疑応答はすべて英語で行うことで英語の語学試験としての側面も兼ねたが、十分な英語の語学力が確認された。また、専門分野であるグローバル社会の一般的知識については、これまで出版した2本のレフェリー付の学術論文にも発揮されていることが確認されている。さらに、本審査時に、口頭による試問を行ったが、十分な知識を持ち備えていることが審査員によって確認された。

したがって、本学位申請者の専門分野に関する学力ならびに語学力は十分なものであると認めた。

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1. Introduction

The purpose of the present research is to explore how the rights of IDPs are affected by a protracted conflict, particularly in the case of a smaller minority in a highly ethnically polarized state. This study will illustrate the mentioned phenomenon with the analysis of the particular case of Muslim IDPs in Sri Lanka. It will explore how Muslim IDPs, as the smaller minority, have been marginalized in the conflict and post-conflict periods of the Sri Lankan war and scrutinize the direction of domestic and international policy to solve the issues of protection of this particular group. Special attention will be paid to the Puttalam district and the World Bank housing project for Muslim IDPs, as an example of their current situation and the extent of their marginalization and challenges.

Internal displacement is an outcome of armed conflict in Sri Lanka. The armed conflict can be divided into four periods: Eelam War I (1983-1990), Eelam War II (1990-1995), Eelam War III (1995-2002) and Eelam War IV (2006-2009). The four Eelam wars took about 90,000 lives and left around 950,000 IDPs from three ethnic groups: Tamils 82%, Muslims 14% and Sinhalese 4%. Around 96% of IDPs belong to the Tamil and Muslim ethnic minorities. Among these four stages of conflict, the Eelam War II (1990) affected Muslims IDPs the most (UNHCR report. 2009).

Internal displacement is an appalling situation for many Muslim IDPs in Sri Lanka. In 1990, when the armed conflict between the Sri Lankan government and the LTTE became more severe, the LTTE forcibly expelled about 15,000 Muslim families from five districts of the Northern Province: Jaffna 3,475, Mannar 8,200, Vavuniya 1,800, Mulaitheevu 1,000 and Kilinochi 525. The majority of displaced Muslims

moved to the Puttalam district in the North-Western Province and have been living there as IDPs since then. According to the World Bank housing project report (2007) around 97% of Muslim IDPs have been living in 145 IDP camps in the Puttalam district of Sri Lanka.

Muslim IDPs are more vulnerable than Tamil and Sinhala IDPs due to their condition of long term displacement. It is reported that around 95% of Muslim IDPs were forcibly expelled by the LTTE and have lived in IDP camps for the past 23 years. In fact, this is the only ethnic group in the Sri Lankan history which has been forcibly expelled by the LTTE and lived in IDP camps for such a long time. Most of the Tamil and Sinhala IDPs had voluntarily displaced themselves during the armed conflict and taken shelter in the nearby villages. From those, around 90% of Tamil IDPs already been repatriated to their home-town while all Sinhala IDPs have been relocated in the North-Central Province of Sri Lanka (Ministry of Resettlement and Disaster Relief Service. October 12, 2012).

In the case of Muslim IDPs around 50% were relocated in the Puttalam district under the World Bank housing project, from 2007 to 2011, while the other 50% are still waiting to go either to their previous home-town or to permanently settle in Puttalam. In June 2009, right after the war ended in Sri Lanka President Mahinda Rajapaksa announced that the remaining Muslim IDPs must be repatriated to their home-town on or before June 2010. It has been four years since that promise, but still around 40,000 people continue to live in IDP camps (Ibid. 2012).

There are many issues that hinder the repatriation of Muslim IDPs. First of all there is no proper plan from the Sri Lankan government to repatriate the Muslim IDPs. Secondly, many lands that belonged to Muslims have been occupied by Tamil people during the armed conflict. Thirdly, the housing assistance has not been successfully directed to the mentioned vulnerable group. In fact, the Indian government has promised to give 50,000 houses for the IDPs but it is not clear how many houses from those will be given to the Muslim IDPs. Finally the Sri Lankan government and international organizations are focusing their efforts on Tamil repatriation. The above factors keep delaying the repatriation of Muslim IDPs.

2. Literature Review

A number of literatures are available in the field of IDPs, ethnic minorities and human security.

Regarding the IDPs, Roberta Cohen (1998), Francis Deng (1998), Cathrine Brune (2003), Thomas Weiss (2003) and Erin Mooney (2005) argue that IDPs often face more threats than refugees during and after armed conflict. Refugees cross the borders of a state, and often receive protection both from international organizations and host countries. But, in the case of IDPs the chances of receiving protection from the domestic government and international organizations in their country of origin are often limited.

Scholars like De Silva (1986), Surya Narayan (2003) and Haniffa Farzana (2007) agree that the armed conflict which started in 1983 between the Sri Lankan government and the LTTE is the main cause for the IDPs in Sri Lanka. Most of their studies focus on the Tamil and Sinhala IDPs, while only a few scholars such as Meerak Raheem (2003), Hasbulla (2005), Anees (2006) and Farzana (2007) touch upon the topic of Muslim IDPs.

Hasbulla (2005) explains that Muslim IDPs were vulnerable in terms of forcible displacement in the Northern Province of Sri Lanka. Anees (2006) focused on the topics linked to how Muslim IDPs were politically marginalized during the peace talk held in 2006 between the Sri Lankan government and the LTTE. Farzana (2007) explored the topic of Muslim IDPs being the real victims of armed conflict and forcible displacement in Sri Lanka. While, Meerak Raheem (2003), is responsible for illustrating how Muslim IDPs were discriminated and awarded less financial assistance by the Sri Lankan government and international organizations than other IDPs. Although, the above scholars focused on the research of forcible displacement, political marginalization and lack of assistance, none of them focused on the plight of Muslim IDPs, their long term stay in IDP camps and the durable solutions for Muslim IDPs, which are some of the central topics of this thesis.

This study adopts conflict theory as a theoretical background and focuses on the majority rule vs. minority rights theory to analyze the case of Sri Lanka. It explains how this theory can be applied to explain how the ethnic harmony in Sri Lanka has been affected by the abuses of the majority and produced more IDPs from the ethnic minorities, making the Muslim ethnic group particularly vulnerable.

This study is important for researchers of IDP minority rights, in particular those with interest in the issues of IDPs and refugees in Sri Lanka. It sheds light on topics related to the vulnerability of Muslim IDPs and their protection in the Puttalam district. Moreover, this research can be used as an example, for

other countries in conflict, of the marginalization in protection policies of a smaller minority IDPs. Its major findings might also apply to other conflict states like Myanmar, where the national government banned access to ethnic IDPs (Muslims) and restricted their movements within the country; Turkey, where the government banned access to the Kurdish IDPs; India (Kujrat), where the national government restricted the movements of Muslim IDPs (UNHCR report. 2012).

3. Structure of Dissertation

Chapter 1 presents the theoretical background of the dissertation, which was designed based on the concept of conflict and minorities and the issues of majority rule vs. minority rights in Sri Lanka. Moreover, this chapter explains the background of the study, literature review, research objective, research questions and methodology.

Chapter 2 focuses on conflict and ethnic minorities in Sri Lanka. The conflict can be divided into two periods: non violent conflict (from 1948 to 1983), and violent conflict (from 1983 to 2009). Violent conflict produced more IDPs from the Tamil and Muslim ethnic minorities in Sri Lanka. Further this chapter focuses on the rights of minorities and root causes of armed conflict in Sri Lanka.

Chapter 3 overviews the conflict and Muslim IDPs in Sri Lanka: the Eelam War II (1990-1995) produced around 65,000 Muslim IDPs from the Northern Province of Sri Lanka. The displaced Muslims have moved to the North-Western Province and live as IDPs for the past 23 years. The key argument of this chapter is that the Muslim IDPs are vulnerable due to the forced displacement from which they are victims and because of the long term of their stay in IDP camps, when compared to Tamil and Sinhala IDPs.

Chapter 4 explores the issue of Muslim political alliance with the Sinhala majority since the national independence in 1948. It appears that the Muslims often form political alliances with the Sinhala majority for the sake of their rights and co-existence in Sri Lanka. One of the findings of this chapter is that Muslim politics from 1948 to 1983 was successful getting political rights from the Sinhala majority government when compared to the Muslim politics from 1983 to present.

Chapter 5 points out the limitation of domestic and international assistance to protect the Muslim