

**INTERNALLY DISPLACED PERSONS (IDPs) AND ETHNIC MINORITIES: A CASE
STUDY OF MUSLIM IDPs IN THE PUTTALAM DISTRICT OF SRI LANKA**

By

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DISSERTATION

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LIST OF ABBREVIATIONS

ACHPR	-	African Charter on Human and Peoples' Rights
ACMC	-	All Ceylon Muslim Congress
CFA	-	Cease Fire Agreement
CPA	-	Center for Policy Alternative
DAQIP	-	Donor Alert and Quick Impact Project
EPDP	-	Eelam People's Democratic Party
EU	-	European Union
FP	-	Federal Party
HDR	-	Human Development Report
HRC	-	Human Rights Commission
HRW	-	Human Rights Watch
ICCJ	-	International Court of Criminal Justice
ICCPR	-	International Covenant on Civil and Political Rights
ICRC	-	International Committee of the Red Cross
ICU	-	Intensive Care Unit
IDMC	-	Internal Displacement Monitoring Center
IDP	-	Internally Displaced Person
ILA	-	International Legal Association
IMF	-	International Monetary Fund
IOM	-	International Organization for Migration
ISF	-	Islamic Socialist Front
IPKF	-	Indian Peace Keeping Forces
JICA	-	Japan International Cooperation Agency
JVP	-	Janatha Vimukthi Peramuna

LTTE	-	Liberation Tiger of Tamil Eelam
MOU	-	Memorandum of Understanding
MP	-	Member of Parliament
MRG	-	Minority Rights Group
MULF	-	Muslim United Liberation Front
NGO	-	Non Governmental Organization
NMC	-	National Muslim Congress
NUA	-	National Unity Alliance
PHPU	-	Puttalam Housing Project Unit
PSC	-	Provincial Council System
PTF	-	President Task Force
RPPIA	-	Rehabilitation of Persons, Properties and Industries Authority
RDA	-	Rural Development Authority
SLFP	-	Sri Lanka Freedom Party
SLMC	-	Sri Lanka Muslim Congress
SLMM	-	Sri Lanka Monitoring Mission
TMVP	-	Tamil Makkal Viduthalai Pulikal
TNT	-	Tamil New Tigers
TULF	-	Tamil United Liberation Front
UDA	-	Urban Development Authority
UN	-	United Nations
UNP	-	United National Party
UNDP	-	United Nations Development Programme
UNDM	-	United Nations Department of Management
UNHCR	-	United Nations High Commissioner of Refugees
UNHRC	-	United Nations Human Rights Committee

UNICEF	-	United Nations International Children's Emergency Fund
UNOCHA	-	United Nations Office for the Coordination of Humanitarian Affairs
UPFA	-	United National People Freedom Alliance
WFP	-	World Food Program
WHO	-	World Health Organization

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STRUCTURE OF DISSERTATION

The present study is divided into six chapters. The first chapter aims to provide an overview of the research problematic and objective of the study. It will also explain in detail the methodology followed for this research and the definitions of the main topics to be explored in the following sections: Internally Displaced Persons (IDPs), human security and ethnic minorities, while giving an overview of the existing literatures.

Chapter two explores three core topics of the Sri Lankan conflict: the conflict, ethnic minorities, and IDPs. In general, the chapter aims to explain how the conflict emerged, revise the root causes of armed conflict, and explore its impact on the civilian population and the resulting phenomenon of IDPs. In its first section, this chapter gives an overview of the background of the conflict in Sri Lanka, the nature of the conflict, as well as the minorities' rights. Secondly, the chapter identifies some of the root causes of the conflict from the historical, political and economical perspectives. Thirdly, it illustrates the origin and growth of IDPs from the independence (1948) to the present (2013), explaining the relation between the armed conflict and them.

Chapter three aims to explain how the protracted armed conflict has affected the smaller minority (Muslims) in the North and Eastern Provinces of Sri Lanka. A special focus will be given to the Northern Muslim IDPs who were forcibly expelled by the LTTE in 1990 who currently live in IDP camps in the Puttalam district of Sri Lanka. The main aim of this chapter is to explain the reasons why Muslims were evacuated from the Northern Province and why they have lived in IDP camps for the past 23 years. This chapter also explores the World Bank housing project for the Muslim IDPs, which started in 2007 and continued until 2011. In fact, it is one of the best examples to illustrate the reality of the smaller minority (Muslim IDPs) as well as its current challenges.

Chapter four explores how the Muslims, as the smaller minority (minority within a minority), have participated in the politics of Sri Lanka from the transitional period of independence (1948) to date. The chapter explores three phases to which the political participation of Muslims can be divided: (1) politics by Muslim political elites from 1948 to 1983, (2) Muslim political parties from 1983 to the present and (3) Muslim political alliance with the Sinhala majority both during and after the conflict. Through the exploration of these political phases, the chapter aims to shed some light on how the political alliance between the Muslim minority and the Sinhala majority increased their political benefits through political participation. Moreover, this chapter analyses the link between the political alliance of the smaller minority and the challenges of resettlement of Muslim IDPs in Sri Lanka.

Chapter five explores the challenges of protection of IDPs and the limitations of the domestic and international assistance in Sri Lanka. This chapter discusses the government's role and international assistance in protecting IDPs, and analyzes the way the smaller minority has been protected. Regarding the government's role, the Sri Lankan government has assumed the prime responsibility to protect IDPs. As for international assistance, there are numbers of international organizations and donor countries that have provided financial assistance to the IDPs. By reviewing the extent to which both the government and international organizations have helped to resettle IDPs in Sri Lanka, this chapter will point out the shortcomings of the process in the Puttalam district.

Chapter Six will conclude the study providing overall reflections based on the research objective and theoretical framework. This chapter also touches upon the limitations of this study and provides some suggestions for future research in the topic of conflict and the smaller minority (Muslim IDPs) in Sri Lanka.

CHAPTER- 1: INTRODUCTION

1.1 Background

Internal displacement is one of the great human tragedies of the post Cold War period (Annan, K. 1998: 1). The victims of this phenomenon, known as Internally Displaced Persons (IDPs), are the people who flee from their home due to armed conflict, ethnic strife, or human rights violations and remain within the boundaries / territory of their own country (IDP-Guiding Principles. 1998: 2). Internal displacement has created an unprecedented challenge for the international community¹ to be able to protect the victims of displacement from the violent and non-violent threats that they face due to their condition (Annan, K. 1998: 2). Today around 27 million people have become IDPs from 55 countries. Most of these people are poor and live in vulnerable circumstances in many parts of the world (Internal Displacement Monitoring Committee - IDMC report. 2013: 8).

In the wake of World War II, the international community as well as the UN organizations and specialized agencies focused its attention on helping refugees as the most obvious victims of conflict. In the immediate post-war years, the United Nations High Commissioner for Refugees (UNHCR-1951) was established to further that effort, and an International Legal Framework (ILF-1952) for refugees was created (Annan, K. 1998: 3). As the Cold War ended (1990), the nature of conflict changed from superpower confrontation to internal wars, changing the nature of conflict itself from inter-state to intra-state wars. The source of insecurity became largely internal with ethnic, religious and political groups fighting over contested rights and resources (Ibid. 1998. 4).

¹ The international community is a vague term used in international relations to refer to all the governments of the world or to a group. http://en.wikipedia.org/wiki/International_community (Accessed on May 06, 2013).

This shift produced a larger number of IDPs (27 million) in comparison to the number of refugees (12 million) that resulted from conflict over the same period of time (IDMC report. 2013:10). According to Catherine Phuong (2004), around 90% of IDPs come from intra-state wars. The rapid increase of IDPs in the post Cold War era brought a new challenge to the United Nations (UN) and led many UN organizations and specialized agencies to get involved in the protection of the victims of internal displacement (Annan, K. 1997: 86).

This safeguarding became one of the core security issues among international organizations in the post Cold War period. Together with the phenomenon of IDPs, a new concept emerged to replace that of “humanitarian-intervention,”² which the international community called upon to protect large numbers of civilians both from armed conflicts and human rights violations during the Cold War. This new concept, human security, appeared partly due to the need for the international community to take responsibility of protecting the victims of the proliferating civil wars and armed conflicts that occurred in intra-state scenarios (Ibid. 1997: 88).

The UNDP-Human Development Report (HDR) published in 1994 is a key reference on human security. The UNDP-HDR identifies two important pillars of human security: freedom from fear and freedom from want. Freedom from fear mainly refers to threats caused by violent incidents such as armed conflicts, ethnic cleansing and human-rights violations, while freedom from want relates to non-violent threats such as hunger, disease, and natural disasters (UNDP-HDR. 1994: 22-25). One of the most important characteristics of the above mentioned UNDP report is the necessity of protection for both refugees and IDPs. The concept of human security enshrined in the UNDP report highlighted that IDPs and refugees

² Humanitarian-intervention refers to armed interference in one State by another State(s) with the objective of ending or reducing the suffering of the population / civilian within the first State. http://en.wikipedia.org/wiki/Humanitarian_intervention (Accessed on 01/05/2012).

should be recognized as victims of armed conflicts and be the target of protection both at the national and international level (Ibid. 1994: 26).

It has been generally agreed that the protection of IDPs relies primarily on the national government (IDP-Guiding Principles. 1998: 1). IDPs have the right to request the fulfillment of their basic needs and the right to be protected (Ibid. 1998: 3). Every human being shall have the right to be protected against being arbitrarily displaced from his or her home of habitual residence (Ibid. 1998: 4). However, it has been found that not all national governments fulfill this responsibility in the same manner and provide protection for its IDPs (Annan, K.1998: 5-6).

Many national governments do not have proper protection regimes, which ensure human security of their citizens (UNDP-HDR. 1994: 27-28). Some national regimes deliberately subject their peoples to displacement, starvation, mass killings and other serious human rights violations while other countries do not have the capacity to deal with the problem on their own. For example, in Myanmar (2003), the national government refused foreign NGOs access to ethnic IDPs and restricted their movements within the country (UNHCR report. 2007: 13).

In Turkey (2004), the national government banned both foreign and domestic NGOs from accessing the Kurdish IDPs within the country. In Algeria (2005) no one knows for sure how many IDPs are there and what their needs might be (UNHCR report. 2007: 14). In situations where states are unwilling or unable to protect the IDPs in their countries the responsibility of protecting them goes to the international community (Annan, K. 1998: 7).

The responsibility to protect war victims (R2P or R to P) is a United Nations initiative established in 2005. It consists of an emerging norm, or set of principles, based on the idea that sovereignty is not a right, but a responsibility. R2P focuses on preventing and halting

four crimes: genocide, war crimes, crimes against humanity, and ethnic cleansing, which it places under the generic umbrella term of Mass Atrocity Crimes (UNHCR report. 2007).

The responsibility to protect has three pillars: (1) A state has a responsibility to protect its population from mass atrocities; (2) The international community has a responsibility to assist the state to fulfill its primary responsibility; (3) If the state fails to protect its citizens from mass atrocities and peaceful measures have failed, the international community has the responsibility to intervene through economic sanctions and military intervention (Ibid. 2007).

In the international community R2P is a norm, not a law, however it is grounded in international law. R2P provides a framework for using tools that already exist, i.e. mediation, early warning mechanisms, economic sanctioning, and military interventions to prevent mass atrocities. Civil society organizations, States, regional organizations, and international institutions all have a role to play in the R2P process (Ibid. 2007: 14-15).

The international community provides two types of protection to the IDPs: firstly, when human rights are violated and secondly, when people are affected by armed conflicts. As for human rights violations, the international community established a set of guiding principles in 1998 with the assistance of International Legal Association (ILA). This has five sections and thirty principles. Each section and principle explains the basic rights of IDPs and clarifies the role of national governments and the international community in the protection of IDPs. According to this, the international community should provide both short and long term relief assistance to the IDPs. Short-term assistance refers to immediate relief services such as provision of food, shelter, education and healthcare services while long-term assistance refers to long term development such as infrastructure, permanent housings etc.

Over the past decade, many International Organizations such as UNHCR, UNICEF, UNDP, WHO, IOM, UN-OCHA, UN-HABITAT, World Food Program and the World Bank

have shown commitment to provide protection, assistance and repatriation to the IDPs through several projects. Protection is a process where international organizations safeguard the basic rights of IDPs both during and post-conflict situations; assistance is a process where international organizations provide temporary relief services to the IDPs; repatriation is where IDPs are resettled in the territories of their origin by providing them housing, infrastructure and welfare services (IDMC report. 2010: 12).

Among many countries where IDPs have been living, Sri Lanka is a noteworthy case due to the increased number of IDPs that have resulted from a protracted conflict. The prolonged armed conflict which started in 1983 between the Sri Lankan government and the LTTE has killed around 90,000 people and left over 1 million IDPs from three ethnic groups: Tamils 82%, Muslims 14%, and Sinhalese 4% (UNHCR report. 2010: 13). Thus, it is remarkable that 96% of the IDPs produced in the armed conflict between 1983 and 2009 belonged to minority groups (Tamils 82% and Muslims 14%). These minority IDPs were the victims of the four phases of the conflict: Eelam War I (1983-1990), Eelam War II (1990-1995), Eelam War III (1995-2002) and Eelam War IV (2006-2009)³. Among these four stages of conflict, the Eelam War II (1990) affected Muslim IDPs the most. During the Eelam War II (1990) the Muslim IDPs were systematically victimized as “ethnic cleansing”⁴ played a central role in the LTTE’s strategy to confront the government forces. Consequently, during that period about 15,000 Muslim families were forcibly expelled from five districts of the Northern Province: Jaffna 3,475, Mannar 8,200, Vavuniya 1,800, Mulaitheevu 1,000 and

³ Eelam is a word that was used by the LTTE for their so called separate home land in Sri Lanka. In fact, the LTTE declared that the North and Eastern Provinces of Sri Lanka should be separated from the main land and that should be ruled by the LTTE (Tamil) administration.

⁴ Ethnic cleansing is a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas. http://en.wikipedia.org/wiki/Ethnic_cleansing (Accessed on May 10, 2012).

Kilinochi 525 (UNHCR report. 2010). The majority of displaced Muslims moved to North-Western Province (Puttalam district) where they have been living as IDPs for the past two decades⁵. Their situation is outstanding because it is significantly different to that of other IDPs within Sri Lanka who have been repatriated to their hometowns or successfully relocated in other areas.

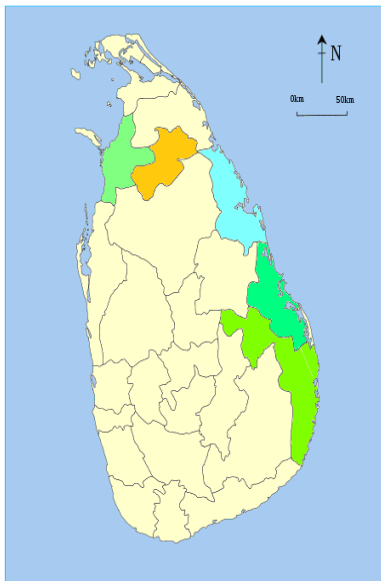
In Sri Lanka, IDPs belong to three main ethnic groups: Tamil, Sinhala and Muslim. Each ethnic group has a different background on their displacement. Regarding the Tamil IDPs, they were mainly displaced from the North and Eastern Provinces and lived in border districts such as Vavuniya, Mannar, Trincomalee, Batticaloa and Ampapra (Map-1). Currently, the Tamil IDPs live only in Vavuniya district (Northern Province) and the rest have already been repatriated to their homes.

In the case of the Sinhala IDPs, they were mainly displaced from the Northern Province and lived in the North-Central Province (Anuradapura district) of Sri Lanka (Map-2). Currently, there are no Sinhala IDPs, all of them found houses in newly established relocation villages in the above district. Regarding the Muslim IDPs, they were mainly displaced from the Northern Province and currently live in the North-Western Province (Puttalam district) of Sri Lanka (Map-3). It is reported that around 50% of Muslim IDPs relocated to the Puttalam district under the World Bank housing project in 2007 while the rest live in IDP camps without any durable solutions.

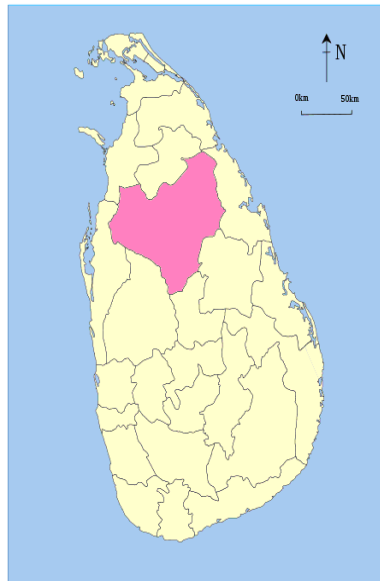
Following maps show the demography pattern of ethnic IDPs and their presence in various districts in Sri Lanka. In fact, the conflict in Sri Lanka not only created the ethnic IDPs but also increased the gap (mistrust, haters, and betrayal) among the ethnic groups and led them to take shelter in various districts in Sri Lanka (Map -1, 2 & 3).

⁵ It is reported that around 90% of Northern Muslim IDPs settled in Puttalam district (UNHCR report. 2006).

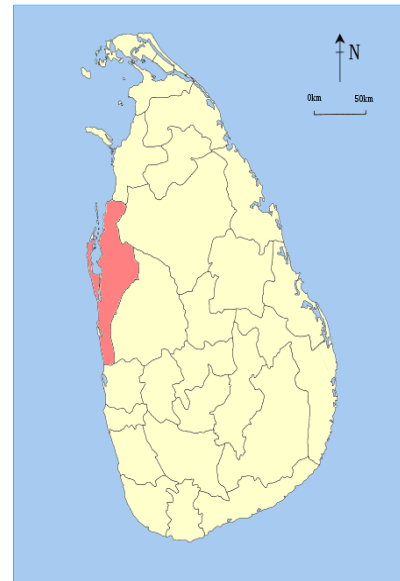
Map: 1 - Tamil IDPs



Map: 2 - Sinhala IDPs



Map: 3 - Muslim IDPs



(Source; Prepared by the author based on the UNHCR report. 2011 & 2012).

Current status of IDPs in Sri Lanka: At the end of May 2013, 93, 000 IDPs were found in IDP camps. IDPs can be divided into two categories: New IDPs and Old IDPs. New IDP means those who were displaced during the last stage of armed conflict (Eelam War - IV) that took place from 2006 to 2009. Old IDP means those who were displaced prior to 2006. According to UNHCR report in 2013, there are 53,000 New IDPs (Tamils) and 40,000 Old IDPs (Muslims) in camps. The rest are in the process of repatriation. Many of them have already reached their home-town with the assistance from the Sri Lankan government and International Organizations while some others are in the process of repatriation now. It is noted that the clearance of land mines and the removal of army check points delay the quick repatriation of Tamil IDPs in the Northern Province of Sri Lanka (Ibid. 2012: 13).

Regarding the Muslim IDPs, four main challenges have hindered their repatriation. First, there was no substantial plan from the Sri Lankan government for their repatriation. Second, a significant part of the land that belonged to Northern Muslims was conquered by the LTTE and given to Tamil people during the conflict. Third, the housing assistance was inefficient. In fact, the Indian government allocated 50,000 houses for the IDPs but it is not

clear how many houses were allocated for the Muslim IDPs. Finally, there was a lack of initiatives targeting the Muslim IDPs as beneficiaries of the post-conflict reconstruction projects managed by the Sri Lankan government or the international organizations.

In fact, the Sri Lankan government and International organizations have been focusing primarily on the repatriation of Tamil IDPs. From the Sri Lankan government's point of view, the repatriation of Tamil IDPs is more important than that of the Muslim minority as it can reduce the tension between the Sinhala and Tamil ethnic groups which were central to the war. Parallel to this, international organizations and donors have pressured the Sri Lankan government to repatriate the Tamil IDPs (Ibid. 2012: 16). Following section will explain the objective of this research.

1.2. Objective of Study

The objective of this study is to explore how the minority's rights are affected by a protracted armed conflict, particularly in the case of the smaller minority in a highly ethnically polarized State. To illustrate such phenomena the case study of the Muslim's internal displacement in Sri Lanka will be analyzed in detail. It will explore how the Muslim IDPs, as the smaller minority, have been marginalized politically and socio-economically during the conflict and in the post-conflict period of the Sri Lankan war. Special attention will be paid on the World Bank housing project in the Puttalam district as well as to the role of the political alliance between the Muslims and the Sinhala majority government, and its effect on the extent of the Muslim IDPs' marginalization.

To fulfill the above-mentioned objective, this research aims to examine the following four research questions: Firstly, how has the protracted armed conflict affected the ethnic minorities (Tamils and Muslims) in Sri Lanka? Secondly, why do Muslim IDPs continue to live in IDP camps for a long time (23years) in the Puttalam district? Thirdly, why do Muslims

often make political alliance with the Sinhala Majority? Finally, what are the limitations of domestic and international assistance towards the Muslim IDPs? The above four questions are addressed in the second, third, fourth and fifth chapters of this dissertation.

Regarding data collection and research methodology, this research uses both primary and secondary data. As for the primary data the author conducted a series of fieldwork research in 2008, 2010, 2012 and 2013 in the Puttalam district of Sri Lanka. Interviews were conducted with a number of stakeholders who were responsible for the well-being of the IDPs in Sri Lanka at various levels: Member of Parliament (MP), cabinet minister, chairman of resettlement authority, World Bank officers, JICA staff, Technical Engineers, Village headmen, IDP camp officers and residents in IDP camps⁶.

In order to collect primary data from the IDPs, Eight IDP camps were selected from four administrative divisions: Kalpitiya-2, Mundal-2, Vannathaviluwa-2, and Puttalam-2 and carried out interviews with more than 150 IDPs both in groups and individually. The four administrative divisions were chosen, because it contained 97% of the Muslim IDPs in the Puttalam district. The author has gathered data on a number of issues such as dry-food rations, housing projects, infrastructure, welfare services, healthcare sectors, education, job employment, and water & sanitation etc.

The gathered data was used to explain the role of World Bank housing project for the Muslim IDPs in the Puttalam district. As for the secondary data, the present thesis makes reference to several books, journals, research papers, research reports, news paper articles and official web sites which deal with conflict, ethnic minorities, IDPs, Muslim IDPs, human security and other relevant topics selected by the author.

⁶ Interviews were conducted from top to bottom. In other words from the policy level (Sri Lankan government) to grass root level (Beneficiaries-Muslim IDPs).

1.3. Definitions: IDPs, Human Security & Ethnic Minorities

When the issue of internal displacement emerged in the international agenda in the early 1990s, there was no proper definition for IDPs. The matters involving IDPs were dealt within the context of victims of war and addressed together with the problem of refugees. The most widely used working definition for IDP was presented in 1992 by the former UN Secretary General Boutros Boutros Ghali. He described IDPs as “persons or groups who have been forced to flee their homes suddenly or unexpectedly in large numbers, as a result of armed conflict, internal strife and systematic violations and remain within their own country” (Ghali, B. 1992: 21). The main purpose of this definition was to address the IDPs as a separate category and distinguish them from the refugees.

According to Cohen & Deng (1998a), the 1992 definition of IDPs had a number of limitations to explain the term properly. It characterized IDPs as a large number of people who were forced to flee or forced to leave their home, leaving out the cases where groups with small numbers of people facing displacement, a phenomenon also commonly recorded in armed conflicts. The case of Iraq is one in which such type of displacement took place. During the Saddam Hussein regime from 1979 to 2003, people (Kurdish) often fled in small numbers due to the armed conflict and sectarian violence.

The 1992 definition also mentions a phenomenon where people are forced to flee from their homes, leaving people suffering from forcible expulsion, evacuation and voluntary displacement possibly out of the IDPs category. In this case, several known cases could exemplify the need for a more complete definition. The Bosnian Muslims did not choose to flee, but they were evicted from their homes on ethnic and religious grounds. In Burma, Iraq, and Ethiopia people did not flee, but they were forcibly moved by their own governments for political, ethnical, and language reasons. In Kashmir, (India) people were expelled to carryout

the government-led armed operations against the rebel groups. In Bangladesh, the Chittagong Guerilla movement forcibly expelled people from their homes. In Sri Lanka, the Muslims were forcibly expelled by the LTTE as the rebel group was fighting a guerilla war against the Sri Lankan government for a separate state (Cohen & Deng. 1998a: 18-22).

In order to overcome the limitations of the above definition, in 1998 the International Legal Association (ILA) introduced a set of Guiding Principles and defined IDPs as follows: "Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border" (IDP-Guiding Principles 1998: 3).

The main purpose of this definition was to clarify the different types of IDPs as conflict-induced, natural-induced, and development-induced. Yet today, the conflict-induced IDPs often receive more attention from scholars when compared to natural and development-induced victims of displacement. For the purpose of this research the 1998 IDPs' Guiding Principles definition will be used, as this study will particularly focus on conflict-induced IDPs and the case of Muslim IDPs in the Puttalam district of Sri Lanka.

Another important topic is human security. In fact, there are several definitions of human security from various scholars. However the author intends to use the following definition from the UNDP-Human Development Report. According to UNDP-HDR in 1994, the concept of human security can be divided into two main aspects. It means, first, safety from chronic threats like hunger, disease and repression and secondly, it means protection from sudden and hurtful disruptions in the patterns of daily life whether in homes, in jobs or in communities. Such threats can exist at all levels of national income and development. In

fact, this is the first definition that includes all types of people (including IDPs) and their security issues both in short and long term perspectives. In the case of Muslim IDPs in Sri Lanka, the UNDP-HDR in 1994 is a useful definition, which includes all types of security and livelihood issues. This will be explained in detail in chapter 3.5.1 & 3.5.2.

A minority can also be defined in several ways, according to Daniel Smihula (2009) it is “an ethnic, religious, or other defined group of people who may face discrimination from the majority as a result of their differences”. For Barzilai Gad (2003) “ethnic minority means a group that has different national or cultural traditions from the majority of the population”. And for Tariq Modood (2009), a renowned scholar in the study of minorities in Asia, it is “a small group of people differing from the rest of a community in ethnic origin, religion, language, or culture; a member of such a group”. In India, Muslims and Christians are minority as a group. In Sri Lanka Tamils and Muslims are the minority groups.

Although there are many definitions about minority, in practice, 'minorities' are ethnic, religious or linguistic groups living among a 'majority' group in considerable and justified fear of persecution. This research will use Tariq Modood's definition to describe the situation of disadvantage of the Muslim minority group in Sri Lanka. As Tariq defines that minority can be categorized based on the ethnicity, religion, language, race and culture. In the case Muslims in Sri Lanka, they identify as Muslims based on the religion (Islam) not by the language (Tamil). This categorization is rather complex to many scholars those who do research on minority issues in Sri Lanka. The categorization of ethnicity usually marks by the language or race, but in the case of Muslims in Sri Lanka it is an exceptional case. The Muslims are preferred to address their religion (Islam) first instead of language (Tamil) for their identity. This will be explained in detail at section 2.2.3. The following section will provide an overview of the existing literature of the topic of this research.

1.4. Literature Review

A number of literatures are available in the field of IDPs, human security, conflict, and minorities. In this section, the study will explore some of their arguments and research findings on the following five topics: protection of IDPs, UN involvement vs. State sovereignty, human rights violations, conflict & minorities and vulnerability of Muslim IDPs.

Protection of IDPs

Protection is an endemic factor to the IDPs problem. Scholars such as Roberta Cohen (1998a), Francis M Deng (1998b), Thomas G Weiss (1999), Cathrine Brune (2003), Erin Mooney (2006), and Donald Steinberg (2006) agree that both IDPs and refugees leave their homes for very similar reasons. Yet IDPs often remain within their own country and receive little protection from national governments and, as mentioned by Catherine Brune, “IDPs often face more threats when compared to refugees” (Brune, C. 2003: 57).

Thomas G Weiss’ similar reflection on the topic mentions that “in the case of refugees they receive more protection from host countries and UN organizations. But for the IDPs, they receive less protection from domestic governments and international organizations” (Thomas G Weiss 1999: 2-3). In the same way, Roberta Cohen argued that “although, IDPs are uprooted for the same reasons as refugees, they remain under the jurisdiction of their own governments and therefore they are excluded from the international protection afforded to refugees” (Cohen & Deng 1998a: 7-10).

One can observe that there is a disparity between the IDPs and refugees, with regard to receiving protection from domestic governments and international organizations. Refugees are entitled, according to UN Refugee Convention in 1951, to receive protection from UN organizations and host countries. On the other hand, legal protection of the IDPs is rather

loose. While there are a number of agreements signed at the international level which mention IDP protection, none of them provide enough legal protection for people within the borders of their home country as refugees remain as the central target for those agreements. Some of the mentioned documents include the UN human rights declaration (1948), Refugee convention (1951), Geneva Convention (1965) and the Refugee protocols (1967 & 1972).

According to Hulme, K (2005) IDPs often suffer during armed conflicts more than the members of armed forces and military groups. This phenomenon is generated from the fact that military forces and armed groups often target civilians strategically. In some cases the government forces and military groups use civilians as a human shield to protect themselves from the armed violence. In March 2009 about 250,000 Tamils suffered this fate as they were kept for more than 3 months in the no-fire zone by the LTTE as a human shield in the Northern Province of Sri Lanka (Ministry of Defense in Sri Lanka July 26, 2009). Additionally, IDPs in the camps or resettled elsewhere are often subjected to threats and various sources of insecurity than the local residents of the same ethnic group living in those areas (Mooney E. 2005). There are 40,000 Muslim IDPs who live in 142 IDP camps facing harsher threats than those faced by the local Muslims in the Puttalam district of Sri Lanka (Hasbulla, SH. 2004: 6). This fact was personally observed and documented by the author during a series of fieldwork visits to the Puttalam district of Sri Lanka.

It is also noted that some international organizations also provide protection to the IDPs parallel to the national government in Sri Lanka. ICRC is one of the international organizations that provide both protection and assistance to the IDPs. According to its 2008 report, ICRC provides protection for 6 million IDPs in 11 countries around the world. It provides immediate relief assistance to the IDPs including food, shelter, water and sanitation while it aims to protect victims of displacement from military precaution.

As noted by Marguerite Hickel (2001), the human rights violations remain a big challenge to the ICRC in many countries. In fact, ICRC encounters several problems when dealing with human rights violation, as it often finds restrictions and pressures from national governments and military groups. During the Eelam War IV (2006-2009), for example, both the Sri Lankan government and the LTTE placed some restrictions on ICRC to prevent them from dealing with human rights issues in Sri Lanka. In May 2009, after ending the armed conflict, the Sri Lankan government asked the ICRC to withdraw from the protection role they played and vacate from the North and Eastern Provinces of Sri Lanka (Ministry of Defense July 26, 2009). From the Sri Lankan government point of view, too much involvement of ICRC on IDP issues may increase the international pressure on domestic matters such as resettlement, war crimes, security and human rights violations etc (Interview with a project officer from the Ministry of Defense in Sri Lanka. March 20, 2013).

UN – Involvement versus State Sovereignty

The question of who is responsible for the protection of IDPs is highly linked with the question of to what extent “State sovereignty”⁷ should rule in the protection of IDPs. The analysis of this duality remain essential, as IDPs are by definition located within the State sovereign territory, but often seem to require external help to ensure the protection they need. In this respect, a review on the ongoing debate regarding the role of UN organizations and its relation to State sovereignty might be useful to illustrate the complexity of this reality. Scholars like Thomas G Weiss (1999) and Cohen, R (2006) argue that UN should directly get involved with IDPs and protect them from all kinds of threats while others. Brune, C (2003) and Hulme, K (2005) argue that IDP is a domestic issue where the national government has more responsibility to protect them within the country.

⁷ Sovereignty is the concept of nation-states on their territory, with no role for external agents in domestic structures (<http://en.wikipedia.org/wiki/Sovereignty>) Accessed on 10/03/2013.

As noted by Cohen, R (2006) the involvement of UN organizations in assisting IDPs is too little and too late. When refugees became an international concern in the early 1950s, the UN established the UNHCR in 1951 and adopted an UN refugee convention in 1952. But for the protection of IDPs, the UN did not establish any separate organization until now. It only allowed the UNHCR to work with IDPs in the late 1980s, and its role remains restricted to cases where the domestic government explicitly requests the organization's involvement and where State sovereignty remains undisturbed (Ibid. 2006: 23-26).

Geissler, N (1999) explains the limitations in the role of the UNHCR when dealing with IDPs protection by explaining that the specialized agency was mainly established for dealing with the problems of refugees, excluding IDPs from their target of protection. This explains why the manner in which UNHCR deals with the two situations is different. In the late 1980s, UNHCR became concerned about both IDPs and other war victims. However, the function of UNHCR did not change its focus and mandate, making the agency ineffective to look after the IDPs. Geissler claims that, in order to deal with this situation effectively, the UN should provide more financial assistance to the UNHCR and assign a separate high commissioner for IDPs who can work productively and independently on IDP issues (Geissler, N. 1999: 458 - 501).

Cohen & Deng (1998b) explain in their work that there are several reasons for the limited involvement of UN organizations on IDPs: first, the flow of IDPs is highly dependent on domestic politics, a central topic of State sovereignty. Second, compared to IDPs, the protection of refugees seems more important for the international community and UN organizations. In fact, the refugee issues are by nature transnational, whereas the IDP issue is located at the domestic level. In the case of Rwanda, many people were internally displaced and many others migrated during the genocide in 1995. Those who crossed the State border and became refugees received more assistance from international community while those

who lived inside the territorial boundaries of Rwanda as IDPs received less protection (Ibid. 1999: 458-459). The above example indicates that the involvement of the international community and UN organizations in the issues regarding IDPs is determined by a number of factors, but primarily affected by the role of sovereignty in international relations.

A number of countries such as Sri Lanka, Sudan, Indonesia and Thailand insist to follow the IDP-Guiding Principles (1998) as UN binding solutions, while some other countries such as India, Egypt and China oppose to do so. The above fact indicates that countries that produced more IDPs seek more UN involvement than those that produced less IDPs. In general, the involvement of the UN generally depends on the number of IDPs as well as the domestic policy of the country. Unless the domestic government requests the UN, the UNHCR cannot involve on the IDP issues in any countries (Geissler, N. 1999: 501).

Human Rights Violations

There is a common understanding among donors and international organizations that IDPs often face more human rights violations than refugees. To show the dramatic impact of human rights violation on IDPs, this research will explore the establishment of the Human Rights Commission (HRC) of Sri Lanka and focus on the human rights violations and war crimes in the country. Scholar Mario Gomez (2002) states that creating an HRC has become a highly fashionable trend for many countries over the past two decades. The HRC is a State sponsored and State funded entity, which is supposed to enjoy considerable autonomy within the territory. The HRC usually sets-up by a parliament act with the assistance of existing State constitution for the broad objective of protecting and promoting the human rights. In response to both international and domestic pressures, the Sri Lankan government passed legislation in 1996⁸ to establish a HRC (Ibid. 2002: 27-30).

⁸ Prior to 1996 there was no HRC, all human rights issues were handled by the ministry of defense in Sri Lanka.

In 2000, the HRC of Sri Lanka acknowledged the IDPs a vulnerable group and began to focus its efforts on protecting them from human rights violations. The main purpose of HRC is to document the mentioned incidents and mediate to resolve them at the local level. One of the key advantages of HRC is its ability to respond quickly and effectively to violations and human rights emergencies. According to the HRC chairman Senaka Bandara, from December 2001 to December 2002 the HRC received nearly 1,000 complaints from the IDPs. 90% of these complaints were related to women and children in IDP camps (Interview with Mr. Senaka Bandara on March 17, 2010).

Human rights violations were very common among Sri Lankan IDPs. The right to information was one of the most common among them, as the Sri Lankan government and the LTTE systematically restricted mass media during the conflict, impeding IDPs and local citizens in getting any comprehensive news about the conflict. During the last stage of armed conflict (Eelam War IV, from 2006-2009), the Sri Lankan government took control over the State media and reported that the Sri Lankan armies were making progress against the LTTE. Meantime the LTTE maximized its own media (voice of LTTE) in the North and reported that the LTTE were making progress against the Sri Lankan armies. This manipulation from both sides brought mount tense among the people in the North.

Torture and detention was another human rights violation against the IDPs in Sri Lanka. During the conflict in Sri Lanka many youths (Tamils) were arrested by the Sri Lankan government under the “Prevention of Terrorist Act”⁹ and tortured to get information about the LTTE and their networks across the world. One IDP pointed out that his son 15 years old was arrested by the Sri Lankan forces ten years ago, still there is no information about him (Interview with an IDP in Vavuniya on March 2013).

⁹ The Prevention of Terrorism Act of 1978 is a law in Sri Lanka. It provides the police with broad powers to search, arrest, and detain suspects. It was first enacted as a temporary law in 1979, then made permanent in 1982

Other basic human rights violations against the IDPs in Sri Lanka were the result of the economic embargo imposed on the country and the travel restrictions done by the government. In 1995, the Sri Lankan government introduced both policies to the Northern Province IDPs. As a result many IDPs in the area suffered from lack of food and freedom of movement (Mario, G. 2002: 17). Regarding the economic embargo, the Sri Lankan government restricted “certain items”¹⁰ not to take to the Northern Province, fearing that it may increase the strength of LTTE during the war against the Sri Lankan armies. It was noted that the economic embargo from the Sri Lankan government to the North somehow similar to economic sanction from one country to another sovereign state (Ibid. 2002: 19). According to Mario Gomez, the economic embargo that was in place in the Northern Province affected more on Tamil civilian than the LTTE carders, as the LTTE were able to get their needs and goods in Black market (Ibid. 2002: 18).

Regarding the travel restriction, the Sri Lankan government introduced a “pass system”¹¹ (special identify card for the residents in the Northern Province) to monitor their movements within the conflict zone, fearing that people may use by the LTTE as spy. As a result many IDPs in the conflict area suffered from lack of food and freedom of movement for more than six years, from 1995 to 2001 (Mario, G. 2002: 17).

The above situations show some of the examples of human rights violations faced by IDPs in their day-to-day life in Sri Lanka. Added to this, the response from the HRC to protect them was very controlled and limited by the Sri Lankan government on various occasions. For example, the Ministry of Defense directly appointed the chairman of HRC and

¹⁰ Such as oil, gas, medicine & medical equipment, building materials, electrical goods, vehicles, fast food etc.

¹¹ There were five types of pass systems namely: permanent pass, one year pass, three months pass, one week pass and one day pass. Only the permanent pass holders were allowed to cross the conflict zone, but the rest were highly restricted from their freedom of movements.

other key staffs. In other words, it was a kind of political appointment in which the officers were bound to be with the Sri Lankan government. According to the HRC chairman, the Sri Lankan government put a lot of restrictions on HRC when it dealt with some human rights related issues with regard to IDPs. The HRC, therefore, failed in its role to protect IDPs as a free and fair entity in Sri Lanka (Interview with Mr. Senaka Bandara on March 17, 2010)

Conflict and Minorities

According to Professor Jeyadeva Uyangoda “where minority rights go consistently ignored, a descent into conflict is always a risk” (Uyangoda, J. 2005: 13). According to Minority Rights Group (MRG), an active international NGO, there were 53 ongoing conflicts found in 2002, and among them, 42 conflicts had an ethnic dimension. Most of these conflicts were related to historical marginalization of one group by another, denial of a group’s identity and land rights, and increasingly impoverished situations. The marginalized groups often face discrimination and hate speech, as observed in the conflicts of Darfur, Rwanda, Chechnya, Chad, Kashmir, Palestine, Iraq, Bosnia and Sri Lanka (MRG-Assessment Report. 2003: 17).

In the case of Sri Lanka, the armed conflict that started in 1983 between the Sri Lankan government and the LTTE largely affected both Tamil and Muslim ethnic minorities. It is reported that 96% of Sri Lankan IDPs were Tamils and Muslims. This numbers show the extent in which conflict affects ethnic minorities. In the case of Darfur, where conflict took place between the non-Arab Sudanese (minority) and Sudanese Arabs (majority), the 2002 genocide produced thousands of victims from the non-Arab Sudanese (minority). In Iraq the sectarian violence between the Sunni and Shia Muslims produced thousands of Shia victims from the Kurdish (minority). In Kashmir the conflict between the Muslim majority and Hindu minority produced thousands of victims from the Hindu minority. In Myanmar, the religious conflict between the Buddhist and Muslims produced more IDPs from the Muslims.

Regarding the protection of minorities, governments and international bodies such as the UN have been extremely slow to address violations of minority or indigenous people's rights in a systematic way. Perhaps they believe that if they make concessions, communities will only make more demands that will lead to the ultimate separate state (MRG-Assessment Report. 2003: 21). The above examples show that minorities are powerless in many ways where the majority government and some international organizations also marginalize them from political, economic and religious gains.

Vulnerability of Muslim IDPs

As mentioned before, IDPs are more vulnerable¹² in terms of legal protection than refugees. In the case of Sri Lanka, many scholars such as De Silva, KM (1995), Surya Narayan (2003), Rohan Gunaratna (2005), Dissanayaka (2006), Dennis B. McGillivray (2008) and Jeyadeva Uyangoda (2010) have studied and stated the extend in which the armed conflict produced such a large number of IDPs. Most of these literatures focus on the cases of Tamil and Sinhala IDPs, while only a few, such as Mirak Raheem (2003), Hasbullah, SH (2005), Anees, MS (2006) Farzana Haneefa (2007) and Aliff, SM (2012) touch upon the topic of the Muslim minority affected by the same problem.

Hasbullah, SH (2005) explains that Muslim IDPs were vulnerable in terms of forcible displacement in the Northern Province. Anees, MS (2006) focused on the topics linked to how Muslim IDPs were politically marginalized during peace talks held in 2006 between the Sri Lankan government and the LTTE. Farzana Haneefa (2007) explored the topic of Muslim IDPs being the real victims of armed conflict and forcible displacement in Sri Lanka. Aliff, SM (2012) argues that Muslims are vulnerable in terms of their loss of assets during the

¹² Vulnerability is a concept that links the relationship that people have with their environment to social forces and institutions and the cultural values that sustain and contest them. <http://en.wikipedia.org/wiki/Vulnerability>.

ethnic cleansing. While, Mirak Raheem (2003), is responsible for illustrating how Muslim IDPs were discriminated and received less financial assistance from the Sri Lankan government and international organizations than other IDPs.

Although the above scholars focused on forced displacement, ethnic cleansing, political marginalization, loss of assets and lack of financial assistance, none of them explored in particular the plight of Muslim IDPs, their long term stay in IDP camps (23 years), livelihood issues and repatriation of Muslim IDPs to their homes in the Northern Province, which are some of the central topics of this thesis.

1.5. Theoretical Background

This section aims to explain the theoretical background used in the present thesis to analyze conflict in Sri Lanka while clarifying the dynamics of majority rule vs. minority rights between the Sinhala, Tamil and Muslim ethnic groups. As explained by Ted Robert Gurr (1993), there is no comprehensive and widely accepted theory of the causes and consequences of ethno-political conflict. Instead, there are many factors that can lead to tensions between groups of people. This research reviews some of these factors, and then focuses on how the politicization of ethnic tensions have triggered in Sri Lanka.

The Primordial's approach offers one simple yet powerful explanation about ethno political conflict. For primordialists, ethnic identity is inborn and therefore immutable, as both culturally acquired aspects (language, culture, and religion) and genetically determined characteristics in shaping ethnic identity. Primordialism's socio-biological strand claims that ethnicity, tied to kinship, promotes a convergence of interests between individuals and their kin group's collective goals. Consequently, even racism and ethnocentrism can be viewed as extreme forms of nepotistic behavior driven by feelings of propinquity and consanguinity. Primordialists thus note nationalism as a natural phenomenon (Ray and Rajat Ganguly. 2002).

The Constructivist theory, on the other hand, views ethnic identities as a product of human actions and choices, arguing that ethnic identities are constructed and transmitted, not genetically inherited, from the past (Peri Robert. 2007). Max Weber was one theorist who stressed the social origin of ethnic identity. Weber viewed each ethnic group as a “human group” whose belief in a common ancestry (whether or not based in genetic reality) leads to the formation of a community, concluding that ethnic identity is not primarily a genetic phenomenon, but rather a result of circumstances and political environment (Ibid. 2007: 196).

Other perspective on the same topic is that of the Colonialist theorists. The scholars of this school of thought state that the contemporary pattern of ethnic relations in Sri Lanka has been largely shaped by its colonial history. The colonial process created borders, which included or divided ethnic groups and defined the demographic mixture of the colonies that eventually became countries. Colonialism’s divide-and-rule policies, census taking, and promotion of ethnic identities all enhanced cultural and ethnic distinctions in colonial societies, although these processes by themselves can hardly account for the nationalistic conflict unleashed in the post-colonial areas (Anthony D Smith. 1995: 42).

The colonialist theory helps to illustrate some of the dynamics of the Sri Lankan conflict from a historical point of view. Since independence, the majority Sinhalese confronted minorities, particularly the Tamils, who had previously occupied administrative positions during the British rule of the country (from 1796 to 1948). Sinhalese politicians in the postcolonial period exploited imbalance and relied on ethnic emotions to win Sinhalese political support to capture and hold political power. S.W.R.D. Bandaranaike laid the first foundation for such an ethnicization of politics by introducing the Sinhala only language policy in 1956. Repeatedly over the next four decades, Sinhala politicians employed the same ethnic tricks to capture a large share of the Sinhalese votes.

The conflict theory helps to illustrate some of the dynamics of the Sri Lankan conflict from the ethnic point of view. The ethnicization of the Sinhala polity subsequently produced Tamil militants, notably the Liberation Tigers of Tamil Eelam (LTTE), a secessionist Tamil guerrilla movement. The LTTE became dominant after 1975 by killing opponents, including some moderate Tamil leaders who believed in the principle of non-violence. De Votta Neill (2005) recognizes that the ethnicization of Sri Lanka's political system by the Sinhalese leaders eventually radicalized the Tamils and produced the LTTE. In fact, such Tamil radicalization gained greater support among the Tamil polity after the Sinhalese leaders refused political compromise with the Tamil leaders in Sri Lanka (Ibid. 2005: 16-18).

Although, there are many theories that discuss the phenomena of conflict and minorities, the focus on "majority rule vs. minority rights theory" are often very limited in those researches. Majority rule means a numerical majority of the voting populace holds the power to make decisions binding on everyone. Minority rights are guaranteed to minorities that cannot be removed or modified, even by a vote of the majority. According to Ted Robert Gurr (2000), democracy is a type of majority rule. Democracy requires minority rights, as majority rule cannot be the only expression of "Supreme Power" in a democracy.

Democracy, therefore, must guarantee the expression of the popular will through majority rule, and protect the basic and inalienable rights of the minority. For the majority, ensuring the minority's rights becomes a matter of self-interest, especially during the times of election. In a multiparty parliamentary democracy, where no party has a majority, the minority becomes particularly important as a coalition together with the majority can define the course of politics. In other words the minority can become a crucial decision maker. The majority must understand that protecting the rights of their minority counterparts is equally important in order to maintain such united and functioning democracy (Ibid. 2000).

In the case of Sri Lanka, the minority rights have not necessarily well protected due to the heavily dominated Sinhalese politics. Even during the peace time (not in the period of conflicts), political positions have tended to be taken by the majority. For example, during the six rounds of direct peace talks in Sri Lanka, from 2002 to 2006, the Muslims (Smaller minority) were not invited for the peace talk by the Sinhala majority. From the Sri Lankan government point of view, the dispute was only with the LTTE. Once it's settled, then the Sri Lankan government can have smooth dialogues with the Muslim minority.

In Sri Lanka, the minority rights were not protected by the Sinhala majority on several occasions. According to the United Nations Human Rights Committee (UNHRC-ICCPR: 2008) there are four minority rights: (1) The right to exist, (2) The right to non-discrimination, (3) The right to protection of identity and (4) The right to participation in public affairs. In Sri Lanka the Sinhala majority government violated almost all rights of minorities during the conflict. For example, The Sinhala language policy (1956), University standardization policy (1972), Quota systems (1975), Open economy (1977) Land policy (1978) Human settlements (1982), Provincial council system (1987) are some of examples where the Sri Lankan government favored the Sinhala majority while it marginalized both Tamil and Muslim ethnic minorities in the country (Ponnambalam, S. 1983: 16-17).

In Sri Lanka the majority rule vs. minority rights theory can help us interpret the relations between the Sinhala majority and Tamil larger minority. Still, so far there has been no study focusing on the Muslims as the smaller minority. Scholars Dr. Imtiyaz (2012), Ponnambalam, S. (1983) and Professor De Silva, K.M (1995) for example, have discussed the majority rule vs. minority rights idea, but their focus has been mainly on Tamils and Sinhalese perspectives. From their point of view the conflict was only visible between the Sinhala majority and Tamil larger minority in Sri Lanka.

This research attempts to focus on the smaller minority (Muslims) and their political alliance with the Sinhala majority. The key argument of its theoretical background is that the majority rule vs. minority rights should not exclude the role of the smaller minorities and their rights. By clarifying this issue, this study attempts to find-out that to what extend the political alliance with the Sinhala majority can ensure the smaller minority's existence and rights within the mentioned concept, exemplified by the case of Muslim IDPs in the Puttalam district of Sri Lanka.

CHAPTER – 2: CONFLICT AND ETHNIC MINORITIES IN SRI LANKA

2.1. Introduction

The overall aim of this chapter is to illustrate some of the basic questions regarding the conflict in Sri Lanka. It will explore how the conflict emerged, what are its root causes, how it affected civilians and created a large wave of IDPs. The chapter will deal with these basic questions by focusing on three core issues: conflict, ethnic minorities, and Internally Displaced Persons (IDPs). First, this chapter gives an overview of the background of conflict, nature of conflict, as well as the minority's rights. Secondly, it will identify some of the root causes of conflict from the historical, political and economical perspectives. Thirdly, this chapter illustrates the origin and growth of IDPs from the independence (1948) to the present (2013). On its last section, it explores the trends of IDPs and its relation to the intensity of the conflict from the perspective of three ethnic groups: Sinhala, Tamil and Muslims. Once this chapter lays down the basics of the conflict, the following chapters will explore in detail the specifics of the problematic of Muslim IDPs as well as the details of their political alliances and the limitation of domestic and international assistance.

2.2. Background of Conflict

Sri Lanka is a small island formerly known as Ceylon¹³, located in the Indian Ocean. The Island's inhabitants comprise of three main ethnic groups: Sinhalese 74%, Tamils 16%, and Muslims 9.6% (Census Report in Sri Lanka. 2011). Sinhalese are considered the ethnic majority while the Tamils and Muslims are the larger and the smaller ethnic minorities. The principal religions of the country are Buddhism 72%, Hinduism 12%, Islamism 9.6%, and Christianity 6%. There are three languages: Sinhala, Tamil and English. Both Sinhala and

¹³ Prior to 1972, Sri Lanka was called as Ceylon. In 1972 Ceylon renamed as Sri Lanka.

Tamil considered as national & official languages while the English consider as a link language among ethnic groups. The complexity of multi-ethnic, religious and languages in the country is the source of conflict between the Sinhala and Tamil ethnic groups.

The conflict in Sri Lanka can be categorized into two phases, a violent and a non-violent one. The period from 1948 to 1983 is considered as the non-violent one, while the period from 1983 to 2009 is considered as violent. The non-violent part of the conflict is understood as the communal tension between the Sinhala and Tamil ethnic groups, while the violent is that in which the armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam took place (LTTE). 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 26 years of Eelam wars finally ended in May 2009, with the defeat of LTTE.

Sri Lanka was colonized and ruled by foreign powers for about 450 years. The first colonialist was Portugal from 1497-1658, then the Dutch from 1658-1796, and finally the British from 1796-1948. The island became politically independent in 1948 February 4th and adopted the British parliamentary democratic system. At the time of independence the relations among the three ethnic groups (Sinhala, Tamil & Muslim) were quite harmonious (Swan, B. 1986: 3). All three ethnic groups lived together and enjoyed a peaceful life. During the British occupation, strong government policy and the impartial rule of law enhanced the socio-economic order within the country. Ethnic tolerance grew, and cultural differentiation was respected during this period. In this context, civil war and communal violence were unthinkable. People were urged to regard themselves as Ceylonese (Sri Lanka) first, instead of identifying with any ethno-cultural label (Ibid. 1986: 5-6). It is noted that many Tamil speaking scholars such as Sir Ponnambalam Ramanathan (1905) and Sir Ponnambalam Arunachalam (1920) were appointed as higher ranking posts in Sri Lanka.

During the pre-independence period the sense of nationalism was strong among the ethnic groups, but during the post-independence period, the ethno-nationalism turned extreme. In the post-independence, the Sinhala elites took the political power and introduced some structural changes such as political, economic, military, land settlements and language policy. All these changes and policies highly affected the Tamil-speaking minorities (Tamil & Muslims) while it favored the Sinhala majority and increased the tensions between the Sinhala and Tamil ethnicities (Ibid. 1986: 9-10).

In the post-independence period (after 1948), conflict between the Sinhala and Tamil ethnic elites over many issues was imminent. The language policy was one of the sources of disagreement. Introduced in 1956 by the former Prime Minister, S.W.R.D. Bandaranayke, this policy was a political tool to win the election by attracting Sinhalese supporters. Later on, Sinhalese was implemented as the only official language in Sri Lanka, dividing the ethnic communities and keeping them away from each other in the administrative and educational sectors (Ibid. 1986: 12).

Whenever the Tamil political elites were mistreated by the Sinhala political elites they opposed in non-violent ways, such as hartal (strikes), civil disobedience, economical or political non-cooperation, peace marches, hunger strikes, etc. During this period a number of peace making attempts were made by the Sinhala and Tamil political leaders to solve the conflict and ensure the peace between the Sinhala and Tamil ethnic groups, but none of them succeeded. Both the Sinhala and Tamil political leaders had their own interests, which never permitted them to agree on a successful concession (Ibid. 1986: 13).

During the 1970s, some of the rural Tamils and Sinhala youths realized that they were mistreated by the political elites. They lost their trust in the political leaders and organized themselves as militant group to win their rights and aspirations. The Sinhala youth

established a militant movement called as Janatha Vimukthi Peramuna (JVP-1969) and carried out two island wide revolutions: first in 1971 (one day revolution) and second in 1989 (lost of revolution). However, the Sri Lankan government defeated those coup attempts. At the same time the Tamil youths also established a guerilla movement in 1972, which was first called as the Tamil New Tigers (TNT) and then in 1976 renamed as Liberation Tigers of Tamil Eelam (LTTE). The LTTE continued its armed attack against the Tamil political leaders as well as the Sinhala government. The first political assassination of the LTTE was the murder of Jaffna mayor Alfred Duraiyappa in 1975. Later in 1983 the LTTE started their counter attack against the Sri Lankan government forces and caused huge destruction to the country (De Silva, KM. 1986: 13-15).

When the armed conflict emerged in the early 1980s, peace-making attempts were again unsuccessfully made by both the Sinhala and Tamil political leaders. At this point, the necessity of third party (foreign country) involvement was impending. India was the first party to try to intervene in Sri Lanka's conflict. India played a significant role as its national security intertwined with the domestic politics of Sri Lanka. In the beginning of 1980s, India (Tamil Nadu State) gave military training, weapons and political asylum to the Tamil militants as well as to the Tamil people (Gunarathna, R. 1993: 21).

When the armed conflict became more severe in the late 1980s, the Indian central government came to the field as a mediator and attempted to settle the issue through constitutional reforms. As a part of Indian peace attempt in Sri Lanka, both governments (India and Sri Lanka) signed the "Indo-Lanka peace accord on July 29th 1987"¹⁴. This

¹⁴ In August 1987, the Sri Lankan Parliament passed the 13th Amendment to the Constitution and the ancillary Provincial Councils Act. The Sri Lankan Government declared that the enactment of these laws fulfilled the promises made in the Accord, to 'devolve power' on the Tamil people. The Liberation Tigers of Tamil Eelam, who (together with the other armed resistance groups) were recognized as 'combatants' by the Accord and who

agreement led to the Provincial Council System (PCS) through the 13th amendment of the constitution, but the LTTE was not satisfied with this system. From the LTTE's point of view this system does not include any rights that the LTTE demanded from the Sri Lankan government and also it was an agreement just between the Sri Lankan and Indian governments where there was no participation of LTTE at all. As a result this peace attempt also ended in failure.

According to the Indo-Lanka peace accord (1987), there was a 125,000 strong Indian Peace Keeping Force (IPKF) deployed in the North and Eastern Provinces of Sri Lanka to monitor the peace. The LTTE did not respond in a positive way to this intrusion and showed their resistance through violence. As a result both the LTTE and the IPKF fought each other for about eighteen months, which caused great losses for both parties and widened the relationship between them. Approximately 1,900 IPKF, 3000 LTTE and over 7,000 innocent Tamil civilians were killed in this war (Ibid. 1993: 23). However, in 1990, on the request of Ranasingha Premadasa the former president of Sri Lanka, all IPKF left the country. With this bitter war India withdrew its mediation from the peace process. Again the war continued and brought much destruction to the country (Gunarathna, R. 1993: 23-26).

In 2002, there was a Cease Fire Agreement (CFA) signed between the Sri Lankan government and the LTTE with the facilitation of Norway. Since then Norway began to play a facilitator role between the Sri Lankan government and the LTTE. As a part of its role Norway facilitated six rounds of direct peace talks between the Sri Lankan government and

had emerged as the leaders of the Tamil national struggle, rejected the basic provisions of the 13th Amendment. This Article examines the basic provisions of the 13th Amendment and the Provincial Councils Act and inquires whether these laws devolved power on the Tamil people or whether these laws amount to a constitutional script for a comic opera, with power continuing to reside in a Sinhala dominated Central government within the frame of an unitary constitution (<http://tamilnation.co/conflictresolution/tamileelam/88comicopera.htm> 05/06/2013).

the LTTE in four countries: Thailand, Germany, Norway, and Japan. Both parties discussed a number of issues during the peace talks. In 2003, the government of Japan also showed a great interest in this peace process, and hosted a venue for the sixth round of direct peace talks and extended its role. In June 2003 Japan organized a donor conference in Tokyo. There were 26 donor countries and 32 international organizations and 17 regional and domestic NGOs which participated in this conference and pledged to provide US \$ 4.5 billion for the purpose of re-settlement, reconstruction, rehabilitation and livelihood issues (Ministry of Foreign Affairs in Sri Lanka. July 24, 2003).

When the Sri Lankan government failed to implement some promises that were agreed by both parties during the six rounds of the direct peace talks, the LTTE temporarily withdrew from the peace talk. Since then, there were a number of outbreaks of domestic violence and political changes in Sri Lanka. A new government came to power in April 2004 and tried to resume the peace talks on the basis of the CFA signed in 2002. However, until President Mahinda Rajapaksha came to power in November 2005, this situation continued. A new breakthrough in the deadlocked peace process of the country emerged when both conflicting parties (Sri Lankan government and the LTTE) held peace talks in Geneva in February 13, 2006 and agreed to meet again in April 20, 2006 for further discussion (Uyangoda, J. 2006: 7-8).

Since the end of the Geneva peace talk in 2006 the situation changed. Both the Sri Lankan government and the LTTE became disappointed with each other. As a result the latter launched a suicide attack on the Army commander of Sri Lanka, which put the country back to the war. The international community and donors tried to cease the war and bring them back to the negotiation table. As a part of that, the Japanese senior diplomat Mr. Yasuji Akashi visited Sri Lanka in April 2006. He met the president of the country and the LTTE political wing leader S.P. Thamilchelvan and asked them to cease the war and go for peace

talks, but they did not respond positively. In June 2006, the European Union (EU) banned the LTTE and labeled them as a terrorist movement. Since then the LTTE asked the EU member countries, those who engaged in the Sri Lanka Monitoring Mission (SLMM) to get out of the country. As a part of LTTE resistance, Finland, Denmark and Sweden announced to withdraw their mediators role from the SLMM (Agence France Press - AFP June 11, 2006).

The last phase of armed conflict started in August 2006 between the Sri Lankan government and the LTTE and ended in May 19, 2009 with the defeat of LTTE. In 2006, the Sri Lankan government started its final phase of war against the LTTE and attempted to liberate the North and Eastern Provinces (Tamil Eelam) of Sri Lanka that were controlled by the LTTE for more than two decades (Map-4). At first the Sri Lankan government liberated the Eastern Province in 2007 (Map-5) and then liberated the Northern Province in 2009 (Map-6). In fact, the liberation of Eastern Province was a big success for the Sri Lankan government; this was the first time that the Sri Lankan government liberated the entire Eastern Province, from 1983 to 2007 in Sri Lanka.

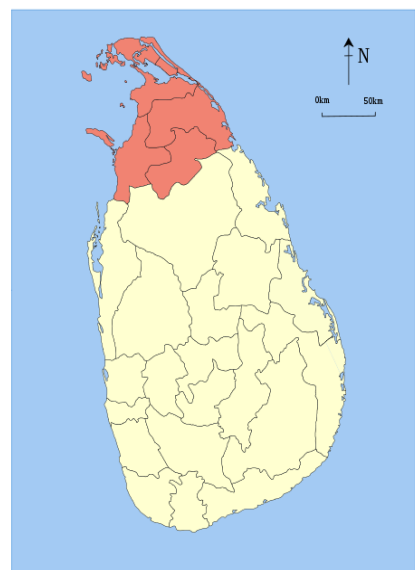
Map 4 - Tamil Eelam



Map 5 - Eastern Province



Map 6 - Northern Province



(Source; Prepared by the author based on the UNHCR report. 2011 & 2012).

Following the victory of the Eastern Province in 2007, the Sri Lankan government urged the war against the LTTE in the Northern Province. The Northern Province consists of five administrative districts: Vavuniya, Mannar, Mullaitheevu, Kilinochi and Jaffna. At first the Sri Lankan government liberated the Mannar district from the LTTE, and then Kilinochi was liberated, followed by Jaffna and finally Mullaitheevu on 18th May 2009. The final phase of war killed about 25,000 people, most of them civilians, and left around 300,000 people internally displaced (BBC News December 18, 2009).

Since the end of the war the Sri Lankan government has requested the remaining LTTE carders to surrender to the Sri Lankan police. The surrendered carders will be given general amnesty from the war crimes. It is reported that from 2009 to 2011 around 6000 Ex-LTTE carders surrendered and are in process of rehabilitation¹⁵. The rehabilitation process will take from 6 to 9 months after which the surrendered individuals will be free to return to their families and society (Ministry of Defense in Sri Lanka. 2012).

Those who still support the LTTE believe that their leader, Mr. Velluppillai Prabhakaran, is still alive somewhere and will re-unite the LTTE and fight against the Sri Lankan government to achieve their so called Tamil Eelam (separate land). However the possibility to re-unite the LTTE cadres and fight against the Sri Lankan government forces by violent means seems a very unlikely possibility at the moment. Yet, the chances for the recurrence of the conflict in the future remain latent if the Sri Lankan government does not provide a political solution to the Tamils, or if the minority rights are further denied.

2.2.1. Nature of Conflict

The nature of conflict can be divided into four dimensions: (1) majority political elites

¹⁵ The Rehabilitation Program is very similar to DDR (Disarmament Demobilization and Re-integration) which was adopted by many conflicting countries in the post conflict era. Cambodia was a good example for this.

vs. minority political elites - from 1948 to 1970 (2) political elites vs. rural youths - from 1970 to 1983 (3) Sri Lankan Government vs. LTTE - from 1983 to 2009 and (4) Muslims vs. LTTE - from 1990 to 2009. The conflict in Sri Lanka has been changing its dimensions from time to time according to the changing circumstances.

The first dimension, where conflict emerged between the political majority against the political minority elites, was mostly caused by the policies of the Sinhala government that marginalized the Tamil and Muslims ethnic minorities. This marginalization led, as explained in the previous section, to a non-violent conflict. This resulted in a number of unsuccessful peace talks and peace agreements such as Banda - Chelva Pact (1957), Dudley - Chelva Pact (1965) and All Political Party Meeting (1981). None of which succeeded, and which apparently further widened the gap between the Sinhala and Tamil political elites.

The second phase of conflict, marked by the political elites vs rural youths' tensions, commenced in the late 1960s and 1970s. During that period some of the Sinhala and Tamil youths organized militant groups to fight against marginalization in the political and education spheres. The resulting militancy created the Sinhala JVP and Tamil LTTE political elites. Among these militant groups conflict emerged. The JVP conflict was ended with the Sinhala political elites being in power, but the LTTE conflict continued with the Tamil political elites for a longer period of time. Finally, in the early 1980s the Tamil political elites decided to support the LTTE, and conflict resumed.

The third phase of conflict between the Sri Lankan Government and the LTTE commenced in 1983, right after the Black July riot against the Tamil people. The LTTE launched a counter armed attack against the Sri Lankan government to respond to the attacks, starting the armed conflict between the Sri Lankan government and the LTTE. This armed conflict lasted for 26 years and finally ended in 2009 with the defeat of LTTE.

The fourth phase of conflict took place between the LTTE and Muslims. In fact, when the Eelam War - II started in 1990 between the Sri Lankan government and the LTTE, they later forcibly expelled about 15,000 Muslim families from the Northern Province and massacred hundreds of Muslims in the Eastern Province. It is estimated that about 130 Muslim prayers and over 3000 farmers were brutally killed by the LTTE in that province (Hasbullah, S.H. 2004). From the LTTE's point of view the Muslims who lived in the North and Eastern Provinces were not supporting their so-called "Tamil Eelam" Tamil independent struggle and had betrayed them in their struggle against the Sri Lankan forces. This fact was a misinformation, which the LTTE spread to the world in order to justify their violence against the Muslims in the North and Eastern Provinces of Sri Lanka.

Two separate kinds of violent conflict happened during the war in Sri Lanka. One was indeed an armed conflict between the Sri Lankan government and LTTE (1983 to 2009), while the other was an ethnic conflict between the LTTE and Muslims (1990 to 2009). During the ethnic conflict, the LTTE ethnically cleansed the entire Muslims from the Northern Province in five districts and declared it as their own territory where the Muslims were originally settled.

2.2.2. Conflict and Minority

According to the Minority Rights Group Assessment Report in (2003), "minorities are a group of citizens of a State endeavored with ethnic, religious or linguistic characteristics which differ from the majority of the population, having a sense of solidarity with one another, motivated if only implicitly by a collective will to survive and whose aim is to achieve equality with the majority in fact and in law". In Sri Lanka, the two groups matching this definition are the Tamil and Muslims. Both minorities had from the 8th to 13th century actual and legal access to equal status with the Sinhala majority. However after the political

Independence in 1948 the situation changed into one where the political structure had a distinctly ethnic character. The framework of governance shaped according to conventional parliamentary democracy enabled one community with numerical majority, to acquire and maintain a near exclusive monopoly over State power (Uyangoda, J. 2006: 4-5).

The Sri Lankan case exemplifies well how a ‘majoritarian democracy’¹⁶ functions in both theory and practice. The State power sharing between the majority ethnic community and the other ethnic communities produced in this case an unbalance that resulted in armed conflict. In the period preceding the war, Tamil politics were shaped by what was viewed at the time as minority grievances, which included discrimination in the areas of language rights, access to land, public resources and access to structures of governance and public policy.

The war that began in the early 1980s progressed into a new conceptual foundation of the Tamil political project, making a decisive shift from a framework of minority grievances to a paradigm of national aspirations. This transition of Tamil politics in relation to the Sri Lankan State, re-located majority-minority politics in a process of State formation during the conflict. The conflict, with its devastating political and social consequences, brought forward new issues concerning minority rights (Ibid. 2006: 6-7).

2.2.3. Rights of Minority

According to the United Nations Human Rights Committee (UNHRC), the body that monitors implementation of the International Convention on Civil and Political Rights (ICCPR), there are four rights specified for minorities: the right to exist, the right to non-discrimination, the right to protection of identity & religion and the right to participate in public affairs (ICCPR Report. 2008: 2)

¹⁶ A majoritarian democracy is a government in which decisions are made according to the majority rule. <http://en.wikipedia.org/wiki/Majoritarianism> (Accessed on 10.06.2012).

The right to exist explains the existence of minority within the country. It also means that the State shall provide security to minority communities, to ensure that they are not targeted by other actors, for example militias (Ibid. 2008: 3). In Sri Lanka when the Muslims were forcibly expelled by the LTTE in 1990 the Sri Lankan government failed to provide any security or protection for the Muslims in the Northern Province. The right to exist for the Muslims was therefore violated by both the Sri Lankan government and the LTTE.

The right to non-discrimination refers to protecting minorities from direct or indirect discrimination on the basis of ethnic, religious, linguistic or cultural identity. The right to non-discrimination is contained in all the UN human rights treaties and is addressed under the African Charter on Human and Peoples' Rights (ACHPR – Article 2.2) and the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD). The right to nondiscrimination protects individuals against any distinction, exclusion, or preference that may have the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise of their human rights and fundamental freedoms (Ibid. 2008: 4).

ICERD allows for States parties to take temporary 'special measures' in the social, economic, cultural and other fields to help individuals overcome discrimination (ACHPR – article 2.4). This is what is commonly called affirmative action. Such measures are not discriminatory in them and may indeed be the only way to overcome deeply ingrained patterns of discrimination. However they should be discontinued when the situation of discrimination has been successfully addressed (Ibid. 2008: 5). In Sri Lanka both Tamils and Muslims experienced series of discrimination policies in the post-independence period.

The right to protection of identity is based on the idea of preserving the freedom of minorities to practice their culture, religion and language in the public and private spheres, and taking measures to enable minorities to develop their culture, religion or language. The

UN Human Rights Committee (UNHRC) recognizes that traditional livelihoods (such as livestock herding) form part of culture and must be protected under this right (Ibid. 2008: 3). In Sri Lanka, when the Muslims were evicted from the Northern Province in Oct - 1990, there were 128 Mosques, 26 Shrines and 189 Religious-schools (Quran Madarasas) were completely destroyed by the LTTE. Moreover the LTTE also murder 135 Muslim prayers in Kattankudy mosque, 25 prayers in Meeran mosque, 15 Hajj pilgrimages in Batticaloa district and number of religious leaders and prayers throughout the Eastern Province of Sri Lanka. It shows that the right to protection of identity and religions were breached by the LTTE both in the North and Eastern Province of Sri Lanka (Hasbullah, S.H. 2004: 9-13).

The right to participation in public affairs refers to ensuring that minorities can participate in decision-making that affects them and can form their own associations freely. The right of citizens to participate in the conduct of public affairs, directly or through freely chosen representatives, is outlined in article 25 of the UNHRC – ICCPR. Every citizen shall have the right and the opportunity to take part in the conduct of public affairs. 'The UNHRC interprets public affairs within the meaning of this article as 'a broad concept which relates to the exercise of political power, in particular the exercise of legislative, executive and administrative powers. It covers all aspects of public administration, and the formulation and implementation of policy at international, national, regional and local levels (UNHRC-ICCPR report. 2008). In other words the UNHRC has outlined all rights related to participation of public affairs and policy planning.

The United Nations Department of Management (UNDM) elaborates on what the right to public participation and the right to form associations mean for minorities (Articles 2.3, 2.4, 2.5, 2.6, 2.7 & 2.8). The African Charter on Human and Peoples' Rights (ACHPR) provides groundbreaking protection for the rights of peoples in its articles 19 to 24. These cover the rights of peoples to self-determination, existence, and freedom from domination, to

freely dispose of wealth and natural resources, cultural development, peace and security, and a satisfactory environment. The ACHPR has not provided a general definition of the scope of the term ‘peoples’; however, in a number of cases, it has interpreted these rights as applying to communities with ethnic, religious or linguistic characteristics (UNDM - Report. 2011).

Often minority rights are wrongly understood as granting exclusive rights to certain ethnic groups. In fact, all groups have the same rights, but dominant or majority groups exercise some rights automatically or more easily through their position in society – for example, the right to identity, which covers provisions such as education in one’s mother tongue, establishment of appropriate places of worship, promotion of one’s culture through media, government bodies, etc. Minority rights like women’s rights, children’s rights, refugee rights, IDPs rights and the rights of the disabled are about ensuring that a vulnerable group does not suffer from unequal implementation of rights (Ibid. 2011).

In Sri Lanka, the Sinhala majority violated the right to participation in public affairs and policy making in the post-independence period (after 1948) of Sri Lanka. Due to the Sinhala only language policy act in 1956 many Tamil-speaking minorities (both Tamils and Muslims) lost their work in the public administration sector. Likewise when the University standardized policy came to effect in 1972, many Tamil-speaking students lost their entrance to the Universities in Sri Lanka. In 1952 when the national military was formed both Tamil and Muslims were systematically excluded from the recruitment. The above examples show how the Sinhala majority government in Sri Lanka violated the minority rights. In fact, the above policies reduced the rights of minorities both in public affairs and policy planning sectors in Sri Lanka.

2.3. Root Causes of Conflict

The conflict in Sri Lanka has many root causes and consequences that are closely

interlinked. However, given its complexities, it should not be assumed that these causes are part of linear historical processes where one event led to another. Often many of the issues that may be regarded as root causes arose within a single but extended context and equally as often, simultaneously. It is primarily within the context of ethnic politics that language and education policy can be located. However, for analysis purposes it is necessary to separate these issues as clearly identifiable themes that would emerge in any analysis of the Sri Lankan conflict. In general, these themes can be identified as: demographic patterns and ethnic politics, conflict on language and education, and other factors including employment.

2.3.1. Demographic Patterns and Ethnic Politics

Conflict on Demographic Patterns

Sri Lankan society is an ethno-religious mosaic and within the ethnic groups, there are clear religious divisions as well. To a certain extent, ethnicity and religion also have a regional basis, which is a significant reason why the Tamil militancy (LTTE) has a strong geographical dimension, which extended to the demand of a separate independent State. Of the ethnic and religious groups, Tamil Hindus predominate (90%) in the Northern Province and maintain a significant presence (40%) in the Eastern Province. The Eastern Province is an ethnically mixed area where Tamils, Muslims and Sinhalese are found in sizeable numbers even though Tamils have a slightly higher statistical edge. Indian Tamils—the descendants of laborers brought from Southern India by the British in the 19th century to work on tea and coffee estates—are concentrated in parts of the Central, Uwa and Sabaragamuwa Provinces.

Sinhalese Buddhists predominate in all parts of the country except the North and Eastern Provinces. Muslims have a significant concentration in the Eastern Province (38%), but generally are scattered throughout the country. Christians maintain a significant presence in the coastal areas as a result of over 500 years of constant European colonial presence and

the consequent Christianization of significant numbers of the population in these areas. However, Christians are found in all parts of the country scattered in groups with small numbers. Malays are mostly concentrated in the city of Colombo and the Western Province of Sri Lanka Ponnambalam, S. 1983: 42-45).

The diversity of the demographic patterns among the ethnic groups throughout the country created a conflict mainly between the Sinhala majority (74%) and the Tamil larger minority (12%). This conflict was particularly centered in the North and Eastern Provinces where Tamils live as a majority (65%)¹⁷ in contrast to their minority status in other parts of the country (Ibid. 1983: 48-49). Following section will explain the conflict on ethnic politics.

Conflict on Ethnic Politics

Relations between Tamils and Sinhalese have not always or consistently been antagonistic. Tensions occurred only in times of external threats from South India, after the formulation of clear Sinhalese and Tamil ethnic or cultural identities in the 9th and 12th century. These wars were wars of dominance without racial components, and were fought between regional rulers. Historical chronicles compiled by Sinhalese Buddhist monks defined these wars as campaigns undertaken to protect Buddhism and the Sinhalese nation. Mainly reinforced by formal education, many Sinhalese accept these interpretations as a fact today (Swamy, N. 1986: 23-26). In the eyes of many Sri Lankans, these interpretations seem to suggest a long and bloody tradition in which hope for reconciliation is minimal. Significantly, these interpretations—with their potent and emotional contents—have also found their way into school textbooks, an important tool for social and political socialization in contemporary Sri Lanka (Ibid. 1986: 27-28). Following section will explain the Conflict on language issues.

¹⁷ It is reported that around 90% of Tamils live in the Northern Province while 40% live in the Eastern Province. Altogether around 65% of Tamils live in the above two Provinces.

2.3.2. Conflict on Language and Education

Conflict on Language Issues

In addition to the barriers imposed by the continued use of the English language as the official language after independence, the emerging nationalist forces perceived that Sri Lankan Tamils had disproportionate access to power. This unbalance was partly a consequence of the uneven educational opportunities and representation in the civil administration during the colonial period (from 1500 to 1947). These issues were the basis for the politics of language that were to emerge (Swan, B. 1986: 25). As early as 1944, politicians proposed parliamentary resolutions to declare Sinhalese as the official language, while other amendments proposed Sinhalese and Tamil should be both official languages. In 1956, when S.W.R.D Bandaranaike was elected as the Prime Minister, he introduced Sinhalese as the official language, and the new government passed the so-called Sinhalese Only Bill in 1957 (Ibid. 1986: 27).

The language issue in many ways brought the Sinhalese-Tamil conflict into the forefront of Sri Lankan politics. In terms of the dominant strands of Sinhalese nationalism, the Sinhalese language along with the Buddhist religion necessarily had to occupy the pre-eminent position in society. This was perceived to be the only way the glory of ancient Sinhalese civilization could be revitalized. Even though, Tamil has been decreed an official language along with Sinhalese in terms of the 13th Amendment to the Constitution (1987), the damage caused by politics of language generally remain unaddressed. Moreover, the vast gap between the official recognition of Tamil as an official language and the practical implementation of the provisions and conditions it entails, is yet to be bridged (Ibid. 1986: 28-30). The above examples show that language has greatly widened the gap between the Sinhala & Tamil ethnic groups in Sri Lanka.

Conflict on Education

Conflict on education also played a particularly important role in the Sri Lankan conflict. Since the 1970s the access to education, particularly to higher education, has been shaped by ethnical factors. Many aspects, including the structural organization of schools and Universities, contents of textbooks and training of teachers have directly impacted the conflict. Compared to other ethnic and religious groups in the country, Tamils have strong cultural norms which value education highly. Many Tamils attended English language schools that were the passport to higher education and better employment in the British colonial period (from 1815 to 1947). As a consequence of well-funded American missionary activities, the Tamil-dominated Northern Province had comparatively better facilities for English language and pre-University education (Swamy, N. 1986: 76-78).

There was also a limit beyond which Tamils could not be absorbed within the traditional land-based occupations in the arid areas where they predominated. This further encouraged many people to seek employment through education. The result was the relative over-representation of Tamils in higher education professions and administration in comparison to their status in the general population (Ibid. 1986: 79-80).

In this context, post-independence (1948 to 1983) Sinhalese nationalism sought to curb the Tamil presence in education and thus also in the professions and civil administration. While the passing of the Sinhalese only bill was one attempt in this process, more direct hurdles were placed on the path of Tamils' realization of educational goals since the 1970s (Ibid. 1986: 81-82). The constitutional provisions in the 1972 Constitution favoring the Sinhalese language and Buddhist religion, along with their educational policies, convinced many Tamils that they had been perceived as a marginal community (Spencer, J. 1990: 21-22).

From 1971 onwards, a new "standardization" policy was adopted, which ensured that

the number of students qualifying for University entrance from each language was proportionate to the number of students who sat for University entrance examination in that language. In real terms this meant that Tamil speaking students had to score much higher than Sinhalese speaking students to gain admission to Universities (Table: 1 & 2). This also meant that for the first time, the integrity of University admissions policy was tampered with ethnical bias. In 1972, a district quota system was introduced in order to benefit those not having adequate access to educational facilities within each language. These changes had a serious impact on the demographic patterns of University entry (Phonic Urmila 1976: 17). According to Ponnambalam, S (1983), the University standardization policy highly reduced the number of University entrance especially from Tamil Medium (Tamil and Muslim students).

The following tables show the required marks for the University and the decline of Tamil medium students (Tamils and Muslims). According to table-1, the Tamil medium students had to obtain more marks than the Sinhala students. Each University and faculty set up higher marks for the Tamil medium students and lower marks for the Sinhala media students. For example, the University of Peradeniya - Engineering Faculty set up 250 marks for the Tamil medium students while 225 marks for the Sinhala media students. As a result of this policy, the Tamil medium University entrance highly declined, particularly in this period.

Table 1 - Aggregate Marks Required for Admission to Specific University

Universities & Faculties	Tamils	Sinhalese
Peradeniya Engineering	250	225
Kattubetta Engineering	232	212
Medicine & Dentistry	250	229
Agriculture, Veterinary & Bio Science	184	174
Physical science	204	183

(Source: University Grant Commission Report 1970-1975)

Table 2 - Tamil Students Eligible for Admission to Universities in 1970-1975

Year	Medicine	Engineering	Livestock	Agriculture	Other
1970	40.9	40.8	23.8	39.5	28.6
1975	25.9	16.3	28.1	11.1	22.0

(Source: University Grant Commission Report 1970-1975)

In general, these policies seriously impacted upon not only the chances of Tamil speaking minorities to gain access to higher education, but also on the overall process of ethnic relations. In 1977, the language-based admission policy was abolished and since that time various adjustments have been introduced on the basis of merit, district quotas, disadvantaged area quotas, etc. While the obvious ethno-linguistic discrimination of the 1971 policy has long been dismantled, many Tamil youth still feel that they are discriminated against in access to higher education (Phonic Urmila. 1976).

Furthermore, the ethnic divisions in Sri Lanka tend to manifest within the education structure in a number of other ways. For example, the organizational structure of educational institutions, the training of teachers, teachers training college and the content of textbooks and syllabus which are much more long lasting and far more insidious than the more visible ethno-linguistic policies (Ibid. 1976: 23-24).

On the organizational structure of educational institutions is clear that language-based segregation takes place. This does not apply to privately owned institutions in which instruction is in English, but applies to institutions with more than one language of instruction (such as some universities, mixed media schools and technical institutes) where a system of internal segregation takes place. In real terms Sinhalese students are segregated into Sinhalese language schools and Tamil and Tamil speaking Muslim students are segregated into Tamil language schools. If they enter universities or technical institutes, this segregation

is likely to continue unless they opt to, and have the money to receive, a non-segregated further education in English in private institutions (Dharmadasa, NNO. 1992: 20-24).

The training of teachers poses similar problems, as most teachers in the system today are products of the segregated education system they are teaching in. Moreover, they are also trained in institutions that are internally segregated except in the training of teachers specializing in subjects such as English. Few teacher-training institutions in operation today, have seriously taken into account the need to train teachers who can teach in a context keeping in mind the challenges of a multicultural society. There is a clear disjuncture between current State policy towards ethnic relations and the manner in which teachers are trained.

Since the early 1980s, many have stressed the role that school texts play in shaping ethnic relations in the country. Ideally, school texts (texts used for teaching religion, language, social studies, etc.) should portray the multi-cultural reality of Sri Lankan society and address issues that are important in this context while approaching the prescribed subject matter. School texts have been written, supervised, produced and distributed by agencies of the State, meaning that their contents reflect State policy or thinking. Furthermore, ethnic politics have also been played out in the process of text production. In recent times (from 1997 to 2000) some of the more problematic contents in these texts have been removed in the process of revision and re-writing. Ironically however, sometimes this has gone to the opposite extreme (Ibid. 1992: 28-29). Following section will explain on the issue of conflict on employment.

2.3.3. Conflict on Employment and Land Issues

Conflict on Employment

As mentioned above, both language and education policies have placed barriers on employment, especially in the administrative and professional ranks in which Tamils were at

one point “over-represented.” In the private sector, which for the most part continued to work in English, employment opportunities for Tamils and other minorities remained relatively open. As a result, today some of the leading business ventures in the country are Tamil-owned. However, as a result of the discrimination that has occurred in State sector employment practices over time, there is a tendency among many Tamils to perceive of themselves as generally discriminated against in employment. According to the census of public sector and corporate sector employment in 1990, Sri Lankan Tamils accounted only for 5.9% of those employed in the state services. This represents a significant drop from earlier years, prior to independent. During the colonial period (from 1815 to 1947) Tamils accounted 40% of government sectors (Census of Public & Cooperative Sector Report in Sri Lanka. 2010). The above data shows that Tamils are losing their presence in the State / government sector.

Conflict on Land Issues

The issue of ownership over and access to land has also been a consistent area in which ethnic politics in Sri Lanka have manifested, and have sustained themselves over the years. As noted, one of the peculiarities in the demographic patterns in Sri Lanka is the relative concentration of certain ethnic groups in certain geographical regions. The clearest site of politics of land and ethnicity has been in the sparsely populated areas of the dry zone in the North Central Province and the Eastern Province. When post independence governments decided to settle poor Sinhalese farmers from the densely populated wet zone areas of the country, many Sinhalese politicians and people in general viewed the process as a “reclamation and recreation in the present of the glorious Sinhalese Buddhist past.” The so-called “colonization schemes¹⁸” became an integral aspect of Sinhalese Buddhist ‘nation-building’ (Ponnambalam, S. 1983: 48-50).

¹⁸ Colonization scheme was one of the state / government policy to settle poor people in the North and Eastern Provinces, but most of the beneficiaries were selected from the majority Sinhalese ethnic group.

Not surprisingly, the Tamils had a completely different perception of the colonization of the dry zone. From the Tamils point of view the so-called colonization schemes in the North Central and Eastern Provinces viewed as a strategy from the Sinhala majority government to increase the Sinhala population and minimize the Tamils dominance in this region. The notion of the 'traditional Tamil homeland' became a potent component of popular Tamil political imagination. Since Sinhalese irrigation settlements in the North Central and Eastern Provinces occurred under the direct State sponsorship, Tamils perceived it as a deliberate attempt of the Sinhalese-dominated State to marginalize Tamils further by decreasing their numbers in the area. The colonization schemes did alter the demographic patterns, particularly in the Eastern Province in a significant way¹⁹ (Ibid. 1983: 51).

A decision was made in the late-1970s to accelerate the development of the dry zone through the "Accelerated Mahaweli Program," that provided for the opening up of dry zone areas further for agriculture and resettlement of people. Only in 1986, as a result of continuing Tamil agitations, did the government agree to allocate the remaining land under the Mahaweli Program on the basis of the ethnic distribution of each ethnic group in the total population (Spencer, J. 1990: 17). From the Tamils' point of view the Mahaweli Project was one of the major development plans that the Sinhala majority government used to increase the Sinhala population (settlements) in the Eastern Province and reduce the Tamils' majority in this area. In fact, it is true that prior to Mahaweli Project (1985) the Tamils were over 60% in the Eastern Province. However, after the Mahaweli project and Sinhalese settlements the Tamil population reduced to 40% in this Province (Ibid. 1990: 8).

¹⁹ According to Ponnambalam, S (1983), Prior to 1970s the Sinhala population was only 8% in the Eastern Province, however after the settlements in 1980s (Colonization schemes) the Sinhala population increased up to 20%, now it has grown up to 29% in this province. In fact, the colonization scheme policy has widened the gap between the Sinhala and Tamil ethnic groups.

2.4. Conflict and Internally Displaced Persons (IDPs): An Overview

The origin and growth of IDPs can be divided into two phases in Sri Lanka: First phase from 1948 to 1983 considered as communal violence and IDPs and the second phase from 1983 to 2009 considered as armed conflict and IDPs.

First Phase – Communal Violence and IDPs

This section explores a series of communal violence and IDPs in Sri Lanka. The first communal violence between the Sinhala and Tamil ethnic groups erupted in 1956 over the Sinhala Only Act. Following the Sinhala Only Act, the Tamils who belonged to the Tamil Federal Party²⁰ decided to hold a non-violent campaign against the Sri Lankan government. In 1956 June 5, the Tamil Federal Party staged a demonstration in the vicinity of parliament to show their opposition to the Sinhala Only Act in the legislature. The demonstrators were arrested by the police and beaten up for participating in the non-violent campaign against the Sinhala majority government (Manogran, C. 1987: 24-25). This incident ultimately led to a communal violence between the Tamil and Sinhala ethnic groups. The Tamil community was outraged about the fact that not only the demonstrators in Colombo were beaten up, but also that the Tamils living in other parts of the Sinhalese-dominated areas such as Kandy, Kegalle, Matale, Gampaha, Kalutara, Kurunagala and Galle were terrorized by the Sinhalese mobs and almost 150 Tamils lost their lives while another 3000 became IDPs in the country (Table-3).

The second communal violence erupted in 1958 between the Sinhala and Tamil ethnic groups over the ‘Banda-Chelva Pact’. Banda-Chelva Pact was the first Peacemaking agreement, which was signed in 1957 between the Sinhala and Tamil political leaders. However, due to the resistance from the Sinhala Buddhist monks this pact was cancelled.

²⁰ Tamil Federal Party was a Tamil ethnic oriented Tamil political party that was led by S.J.V. Selvanayagam in the 1950s & 1960s in Sri Lanka.

Following the failure of Banda-Chelva pact, Tamil Federal Party called a convention to launch a mass disobedience campaign in the Northern Province of the country, a territory where the majority (90%) of the Tamils lives. The Sinhalese nationalists opposed the disobedience campaign, and it escalated to anti-Tamil riots that ended up in a massacre of Tamils in many areas of the island. More than 300 Tamils lost their lives, and approximately 12,000 Tamils had to leave the Sinhalese populated areas and moved to North and Eastern Provinces of Sri Lanka (Table-3).

The third communal violence broke out in 1977 between the Sinhala and Tamil ethnic groups over the country Presidential election. Immediately after the country Presidential elections in 1977, number of communal clashes erupted between the Sinhala and Tamil ethnic groups. As a result more than 700 Tamils were killed in these clashes and 35,000 Tamils had to seek shelter in IDP camps (Table-3).

The worst of all the communal clashes experienced in Sri Lanka was the ‘Black July Riots in 1983. Following an armed attack against the Sri Lankan security forces in June 1983, the Sinhalese attacked the Tamils in Colombo and elsewhere in the country. It is reported that more than 2,000 Tamils, most of whom were long-time residents of Colombo city, lost their lives, while another 1,000 were killed elsewhere in the island. 95% of the property owned by Tamils in the Southern Province was destroyed. 75,000 Tamils, almost one-half of those living in Colombo city, were made homeless and were housed in IDP camps (Suryanaryan, V. 2002: 2-3). In fact, it was the starting point of armed conflict between the Sri Lankan government and the LTTE.

The following (Table-3) shows how many deaths were caused and IDPs were created during the communal violence between the Sinhala and Tamil ethnic groups from the period of 1948 to 1983. According to table-3, the communal violence from 1948 to 1983 caused

around 4150 deaths and led 125,000 IDPs in Sri Lanka. The highest number of IDPs was recorded in 1983. The majority of these IDPs were Tamils. One of the common features of this period is that from time to time the number of deaths and the number of IDPs increased on various occasions. This clearly indicates that the intensity of communal violence was increasing between the Sinhala and Tamil ethnic groups over many issues in Sri Lanka.

Table 3 - Communal Violence and IDPs (From 1948 to 1983)

Communal Violence	Number of Deaths	Number of IDPs
Sinhala & Tamil Communal violence 1956	150	3000
Sinhala & Tamil Communal violence 1958	300	12,000
Sinhala & Tamil Communal violence 1977	700	35,000
Tamil Genocide 1983	3000	75,000
Total	4150	125,000

(Source: Prepared by author based on various books & research papers).

The Second Phase: Armed conflicts and IDPs

The armed conflict, started from 1983 to 2009 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 killed about 90,000 people and left, over 1 million IDPs from three ethnic groups (Sinhala, Tamil & Muslims) in Sri Lanka. Following paragraphs will explain in detail.

Eelam War - I (1983-1990) is the name given to the initial phase of armed conflict that started in 1983 between the Sri Lankan government and the LTTE. During this period, both the Sri Lankan government and the LTTE engaged in number of armed operations in the North and Eastern Province such as Kokkilai offensive (1985), Vadamarachi operation (1987), Battle of Kokkavil (1990), and Operation Thiravida Balaya (1990). The above mentioned

armed operations killed about 12,000 people and left 600,000 IDPs in Sri Lanka. Most of these IDPs were Tamils (Table-4).

Eelam War - II (1990-1995) refers to the second phase of armed conflict that started in 1990 between Sri Lankan government and the LTTE. The most significant military confrontations during the Eelam war II were: Operation Balavegaya (1990), Battle of Elephant Pass (1991) and Battle of Jaffna (1995). The above-mentioned armed operations killed about 40,000 people and left 840,000 IDPs in Sri Lanka. Most of these IDPs were Tamils and Muslims. The significant element of the records is the revelations of the ethnic cleansing of the Muslims occurred during this period. About 75,000 Muslims in the Northern Sri Lanka were forced to flee from their homes (UNHCR report. 2008: 22-26).

Eelam War - III (1995-2002) comprises the armed conflict that started in 1995 between the Sri Lankan government and the LTTE. The most significant military confrontations during the Eelam War – III were: Operation Rivirasa (1995), Operation Jayasikuru (1997), Operation Jayasikuru part-2 (1998), Battle of Kilinochi (1999), and Battle for the A-9 high way. The above-armed operations killed about 62,000 and left 525,000 IDPs. In fact, there was a decrease of number of IDPs in this period. The reason was the Ceasefire Agreement (2002) between the Sri Lankan government and the LTTE with the facilitation of Norwegian government as a result the armed conflict temporarily stopped and some IDPs returned to their homes (Ibid. 2008: 27).

Eelam War - IV (2006-2009): The Eelam war IV, that started in 2006 between the Sri Lankan government and the LTTE forced a large number of people, primarily from the Tamil and Muslim ethnic groups in Sri Lanka to become IDPs (IDMC report. 2009). The recent phase of the armed conflict has been notably brutal, and violations of international humanitarian law and threats for the human security are very much present. Most of the

displaced people in the North and Eastern Provinces were reported fleeing their homes just to escape artillery bombardments and air raids that were been launched around their homes in the North and Eastern Provinces (Ibid. 2008: 28-29).

In 2006, the LTTE closed the Mavil Aru sluice gate (Baticola district - Eastern Province) and cut off the water supply for over 15,000 mostly Sinhalese families and 30,000 acres of paddy lands. Sri Lankan government forces retaliated and fighting spread to other parts of Trincomalee and Batticaloa districts. The LTTE regrouped in the town of Muthur in Trincomalee district where heavy fighting took place for six days, causing misery and suffering for the civilians. During these fighting, hundreds of deaths were reported and an estimated 50,000 people were displaced. Thousands of civilians, including women and children, were forced to walk in search of safety for nearly two days without food and water (BBC News August 16, 2006).

Following the Mavil Aru operation (2006), The Sri Lankan army launched another massive offensive attack in the Northern Province in October 2006 to remove the LTTE presence in the Jaffna peninsula (Ibid. August 16, 2006). During this operation, the Sri Lankan Army sustained heavy casualties and the intense fighting continued to affect civilians, even in the places such as hospitals and schools. The army's aerial bombardment on November 2006 hit a hospital in the LTTE controlled town of Kilinochchi and killed five civilians and damaged the hospital (Ibid. August 16, 2006).

In 2007, the Sri Lankan Army launched an attack against the LTTE to re-capture Vakkarai in Batticaloa district in which thousands of civilians, most of them Tamils, were displaced from the Vakkarai area, which was under the LTTE's authority. During the fierce three-month battle for control of the area, about 35,000 civilians were caught up in the crossfire. Many vulnerable segments of the community, including women, children, elderly

people and sick people were forced to move from Vakari (Batticalo district- Eastern Province) to government-controlled areas during this time (BBC News March 23, 2007).

After the military operations in 2007, the Sri Lankan army launched a sequel of armed operations in the Northern Province including the Battle of Vidattativu (2008), Battle of Mullaitivu (2009), Battle of Chalai (2009), and the battle of Puthukkudiyirupu (2009). Each operation marked a high number of civilian casualties and left many as IDPs. According to the Ministry of Defense in Sri Lanka, the Eelam War- IV killed 25,000 people and left 250,000 new IDPs in Sri Lanka. Most of these IDPs were Tamils and lived in IDP camps in Vavuniya district (Ministry of Defense May 20, 2009). The following table shows the trend of IDPs from 1983 to 2009. According to this table the Eelam War IV have killed large number of people and left many IDPs when compared to other three Eelam Wars in Sri Lanka.

Table 4 - Armed Conflict and Internal Displacements (From 1983 to 2009)

Eelam Wars		Number of Deaths	Number of IDPs
Eelam War I	1983- 1990	12,000	600,000
Eelam War II	1990- 1995	40,000	840,000
Eelam War III	1995- 2002	62,000	525,000
Eelam War IV	2006- 2009	90,000	950, 000

(Source: Prepared by the author based on UNHCR report. 2009 & 2010).

According to UNHCR report in 2012, there are currently 125,000 IDPs that live in IDP camps, from which 40,000 are Muslims who live in the Puttalam district while 85,000 are Tamils who live in Vavuniya District (Menik farm IDP Camps). The Tamil IDPs are in the process of repatriation with assistance from the Sri Lankan government and many International Organizations. Hopefully the Tamil repatriation will end at the end of this year (2013). In contrast, there is no repatriation or local integration for the Muslim IDPs at the moment. Although, the Sri Lankan President has promised to repatriate all Muslims to the

North, no repatriation program exists yet for Muslim IDPs.

2.4.1. Tamil IDPs

This section provides an overview of Tamil IDPs. There are a number of reasons that could help explain the large numbers of Tamil IDPs in Sri Lanka. Many were pushed to flee from their homes and became IDPs within their own country due to armed conflict, communal violence, and human rights violations. If we look at the presence of Tamil IDPs in Sri Lanka, it can be divided into two periods. First phase from 1948 to 1983 considered as post-independence period, second phase from 1983 to 2009 considered as armed conflict.

During the post-independence period the internal displacements mainly occurred due to the communal violence. From 1948 to 1983, for example, more than four communal clashes occurred between the Sinhala and Tamil ethnic groups (Ponnambalam, S. 1983: 13). During this period most of these displacements occurred in the Western, Central and Southern Provinces of Sri Lanka, where the Tamils lived as ethnic minority in the Sinhala predominant areas. Whenever, the Tamils displaced from the above provinces they mainly took shelters in the North and Eastern Provinces of the country. The Tamils who lived outside the North and Eastern Provinces felt that fleeing to the North and Eastern Provinces was safety for them, where their own counter parts lived as majority (Ibid. 1983: 16).

Since the end of Black July riots in 1983, the nature of conflict and the trend of internal displacements changed. During this period from the trend of communal violence changed into armed conflict. When the armed conflict started between the Sri Lankan government and the LTTE, the North and Eastern Provinces of Sri Lanka became the heart of the conflict. Since then the new phase of internal displacement began from the North and Eastern Provinces. Tamil IDPs account for larger numbers when compared to Sinhala and Muslims IDPs, constituting about 82% of the total IDPs in Sri Lanka. During the first phase of internal

displacement from 1948 to 1983, the numbers of displaced people were significantly smaller than the numbers of the second phase, from 1983 to 2009. In fact, the volume of displacement radically changed during the post 1980s as the armed conflict became more acute between the Sri Lankan government and the LTTE (Ponnambalam, S. 1983: 13).

The Tamil IDPs were vulnerable in many ways. The systematically faced human rights violations, human security threats, lack of protection, lack of basic necessities etc. In general IDPs are often at high risk when compared to refugees, but the Tamil IDPs lived in particularly vulnerable conditions in many of IDP camps. The impact of war on Tamil civilians has been documented to have the following results: over 100,000 Tamils were killed, over 28,000 Tamils disappeared, over 12,600 Tamil girls and women were raped, over 30,000 women became widowed, over 20,000 children became orphaned, and over eight billion US\$ worth of property owned by Tamils was destroyed by the conflict (IDMC report. 2009: 74-77).

During the last stage of armed conflict in Sri Lanka the LTTE trapped about 300,000 Tamils as a human shield in the Mulaitivu district and violated their freedom of movement for more than six months, until the end of the war in May 2009 (Ministry of Defense in Sri Lanka March 5, 2009). Using civilians as a “human shield”²¹ had two purposes, to protect the LTTE carders from the Sri Lankan forces and to stop their continuous armed operation against the LTTE with the help of international support. The LTTE claimed that during the operations against them the Sri Lankan forces continuously killed the Tamil civilians located in the war zone areas. By spreading this information, the LTTE hoped to get the support from the international community and stop the war.

The mentioned strategy did not receive much attention from the international community but resulted in the intervention of the Sri Lankan government to protect the

²¹ Human shield was one of the last strategies that was used by the LTTE to stop the war but it did not work-out

captured civilians. In March 2009, the government launched a “humanitarian operation”²² and liberated about 250,000 people from the LTTE custody. The rescued people were sheltered in more than 40 IDP camps in the Vavuniya district and were aimed to be repatriated within six months. At present only 85,000 Tamil IDPs are in the IDP camps while the rest of IDPs are in the process of repatriation under the Indian housing project. It is reported that India has provided 50,000 houses for the Tamil IDPs in the North and Eastern Provinces of Sri Lanka. This topic will be touched upon in more detail at section 5.3.1.

2.4.2. Sinhala IDPs

The armed conflict and ethnic violence evicted around 35,000 Sinhalese from the North and Eastern provinces of Sri Lanka. When the armed conflict began in 1983, the Sinhalese, who lived in the Northern Province were temporarily displaced from their homes and took shelters in the North - Central Province (Anuradapura district). In the late 1980s when the war became more severe most of the displaced Northern Sinhalese gave up their hopes to return to their previous homes and choose to take part in the relocation program supported by the Sri Lankan government and some international and local organizations. There are 10 re-location villages in Anuradapura district, most of the Sinhala IDPs from the Northern Province found new houses and settled in these relocation villages (Gunarathna, R. 1993: 17-19).

The displacement of Sinhalese in the Eastern Province is significantly different than the Northern displacement. The Sinhalese who lived in the Eastern Province lived as an ethnic minority in many Tamil dominated areas, often living side by side with the Tamils and Muslim villages. Those who lived in border villages frequently experienced multiple displacements. Whenever, the armed conflict got cruel or ethnic violence become worse, the Sinhalese had to

²² Humanitarian operation is a term which the Sri Lankan government used to rescue the Tamil people (Human shield) from the LTTE in the last phase of armed conflict that took place in March 2009.

displace for a while and then return to their homes when the situation improved. In the Eastern Province the phenomena of Night-IDPs²³ was also common. This category included the Sinhalese who lived in villages neighboring Tamils and had to leave their homes during the night fearing assaults from the LTTE but that would return during the day (Hickel, M. 2001).

It is accurate to say that the Eastern Sinhalese generally faced more threats and human rights violations than the Northern Sinhalese. In the case of the Northern Province, most of the Sinhalese IDPs left their homes voluntarily due to the continuous threats of armed conflict and ethnic cleansing. This group took shelter in the North-Central Province of Sri Lanka, and did not lose their lives or assets during their process of internal displacement. In the case of Eastern Province, the LTTE evicted some Sinhalese from the border villages and killed some others, both in Polannaruwa and Ampara districts. Eastern Sinhalese were also victims of multiple displacements, some of which were not voluntary.

Apart from the North and Eastern Provinces, there were some Sinhala IDPs who lived in the (Uva Province - Monaragala district) where the Sinhalese farmers were frequently assaulted by the LTTE during the conflict. At present there are no Sinhala IDPs in Sri Lanka. Most of them were repatriated to their homes while many others found houses in the relocation villages. It is reported that more than 10 relocation villages found both in Anuradhapura and Polanaruwa districts where most of the Sinhala IDPs live now.

2.4.3. Muslim IDPs

Muslims in Sri Lanka did not take part in the armed violence, but account for a significantly large number of the IDPs that resulted from the conflict. Around 100,000 of them have been victims of displacement; a disproportional number compared to their

²³ Night IDP refers to the people those who leave their homes in the night and come back in the morning due to the fear of LTTE. Night IDP is very common in many African countries.

presence in the general population of the island. As the smaller ethnic minority in Sri Lanka, Muslims make up around 8.7% of the total population and account for 14% of total IDPs. This is largely due to the fact that the majority of Muslims who lived in the North and Eastern Provinces were forced to experience internal displacement.

In 1990, when the Eelam War II commenced, the LTTE used ethnic cleansing as a strategy to control their region of interest. In the Northern Province the LTTE successfully expelled all Muslims from their homes, but in the Eastern Province only smaller numbers of Muslims were expelled. The reason for this setback in the LTTE's strategy was because the Muslims represented large percentage of the population within the Eastern Province (34%) and resisted to displace from their homes.

The internal displacement was a horrific event for many Northern Muslims in Sri Lanka. In 1990, an estimated 75,000 Muslims were forcibly evacuated by the LTTE from the Northern Province. The majority (95%) of them took shelter in the Puttalam district. Since their arrival in Puttalam, Muslims have become permanent IDPs and live in deplorable conditions. In 2002, the LTTE admitted responsibility for the expulsion of Muslims and issued an apology for it. However, this did not bring any long lasting solution (Durable Solution) for the Northern Muslims IDPs. The presence of Northern Muslim IDPs and their livelihood issues will be explained in detail in Chapter- 3.

The pattern of displacement among the Eastern Muslims was different from the Northern Muslims; the Northern Muslims were displaced just once in 1990 and left all their belongings in the hands of LTTE. The Eastern Muslims, on the other hand, were displaced a number of times (multiple displacements) and returned to their former place soon after the situation got better. In 2005, for example, around 40,000 Muslims were displaced from Muthur and another 20,000 from Kinniya (Trincomalee district – Eastern Province) due to the

armed conflict. The displaced people only stayed a few days in the neighboring villages and were able to return home after some days. Unfortunately, in the Eastern Province, Muslims were also victims of ethnic cleansing in the form of killings. Whenever the Muslims resisted leaving their homes the LTTE initiated campaigns to murder them. The villages of Alinchpottana, Kattankudy, Eravur, Muthur, Kinniya and Valanaichenai in the Eastern Province are examples of those events. This will be explained in detail in Chapter – 3.

2.5. Conclusion

The present chapter touched upon three central topics of the Sri Lankan conflict: ethnic minorities, the roots of conflict, and IDPs. While exploring the topic of conflict and minorities, the chapter brought upon important conclusions regarding the numerical superiority of IDPs from the Tamil and Muslim ethnicity over the number of Sinhalese IDPs that resulted from the conflict. The chapter also highlighted the consistent violations against the minority rights of the same ethnic groups, Tamil and Muslims, in Sri Lanka. Among them, the right to exist, the right to non-discrimination, the right to participation and the right to protection of identity and religion were explained. Some of the important reflections that resulted from the analysis of those rights were the following.

In the case of the right to exist, it was noted that Tamils and Muslims confronted various threats during the conflict in Sri Lanka, which challenged or violated this right. Regarding the right to non-discrimination, both Tamils and Muslims experienced a series of discriminatory measures over many issues, particularly during the post-independence period of Sri Lanka. In relation to the right to protection of identity, the chapter explained that there were a number of communal clashes among the ethnic groups, which resulted from their desire to protect their identity. In a way, the disregard to protect this right planted the seeds for the conflict that resulted in armed violence some years later. The right to participation in

public affairs, another important issue for minorities, was also violated in Sri Lanka. It is noted that both Tamils and Muslims were excluded in many occasions from participating in the public affairs and policy planning in Sri Lanka.

In relation to the root causes of conflict, the chapter identified three: demographic patterns and ethnic politics; conflict on language and education; and conflict of employment and the land issues. Demographic pattern is one of the key issues for both the Sinhala and Tamil ethnic minorities over the conflict in Sri Lanka. In terms of population Sinhalese are considered as the majority while the Tamils and Muslims are considered as the larger and the smaller minorities. When some political or economical changes happened in Sri Lanka the Sri Lankan government often took actions favoring the Sinhala ethnic group, while giving less importance to the Tamil and Muslim ethnic groups. Conflict on language and education was also identified as a root of conflict in Sri Lanka. It was mentioned in this chapter that the Sri Lankan government introduced a University standardization policy in 1972, and as a result the Sinhala majority got more educational privileges while Tamil and Muslim minorities were marginalized from getting University admission in Sri Lanka.

The last section of this chapter gave an overview of the IDPs that resulted from the conflict in Sri Lanka. It concluded that IDPs are an outcome of conflict and therefore the Sri Lankan government has the responsibility to protect all IDPs and repatriate them without any privileges against any particular minority. The following chapter will focus on the conflict and Muslim IDPs in the Puttalam district.

CHAPTER –3: CONFLICT AND MUSLIM IDPs

3.1. Introduction

The aim of this chapter is to explore how the armed conflict has affected the smaller minority (Muslim IDPs) in the North and Eastern Provinces of Sri Lanka. A special focus will be given to the Northern Muslim IDPs who were forcibly expelled by the LTTE in 1990 and currently live in IDP camps in the Puttalam district. The main goal of this chapter is to clarify the reasons why Muslims were forcibly evacuated from the Northern Province and why they have continued to live in IDP camps for the past 23 years.

The chapter also focuses on the World Bank housing project for the Muslim IDPs, which started in 2007 and continued until 2011. The four-year housing project was one of the pilot projects for the Muslim IDPs. Both the Sri Lankan government and the World Bank funded this. This project has targeted about 50% of Muslim IDPs and locally integrated them with the host community in the Puttalam district. The World Bank housing project focused on issues like housing, infrastructure, water, sanitation and job creation, and is an excellent example to illustrate the present circumstances of Muslim IDPs in Sri Lanka and the challenges they face as a smaller minority due to their condition of displacement.

3.2. Conflict and Muslim IDPs

The Muslims who practice Islam and speak Tamil make up a significant section of the minority population in Sri Lanka but do not necessarily cluster in a geographical area of the island. Muslims constituted about 9.6 % of the island's total population. According to the Census report in 2011, 4% of Muslims live in the Northern Province, 34% of Muslims live in the Eastern Province and 62% of Muslims live in other parts of the country. The above statistics show the level to which the Sri Lankan Muslims are scattered in many areas.

Although the conflict in Sri Lanka had an immeasurable impact on the Muslim ethnic group, the academic and media attention on the conflict mainly focused on the impact of the confrontations in the Sinhala majority (74%) and the Tamil larger minority (14%). The views of the country's Muslims, who are 9.6% of the population and see themselves as a separate ethnic group, have largely been ignored (Haniffa, F. 2011: 3-4).

The fact that at least one third of Muslims lived in the conflict-affected areas (North and Eastern Provinces) has a significant impact on how the armed conflict affected this mentioned ethnic group. Throughout conflict Muslims often suffered serious hardships at the hands of the LTTE and the Sri Lankan governmental forces. Furthermore, their situation worsened since 1990, when Muslims became the victims of ethnic cleansing massacres and forced displacement by the LTTE (Ibid. 2011: 4-6).

Muslims often found themselves trapped between both warring factions. They were particularly targeted by the LTTE for abductions, extortions and killings. The LTTE was also responsible for taking over large portions of land from Muslims agriculturalists (63,000 acres). Other Muslims, particularly businessmen in the Southern part of Sri Lanka, were targets for abductions and extortions by the Sri Lankan government forces. As a result, Muslims became trapped between the threats of the Tamil rebels (LTTE) and the Sri Lankan government forces (Ibid. 2011: 7).

It is significant to point out, that Muslims who lived in the North and Eastern Provinces did not participate in the conflict directly, but became victims of both fighting fractions. Since the beginning of the conflict in the early 1980s, Muslims kept a neutral policy that halted them from supporting any of the conflicting parties. However, at some point this policy was violated when some of the Muslim youths joined the LTTE and others formed the home guard forces together with the Sri Lankan government forces. Ultimately, Muslims became

trapped in the conflict, as a large number of them became victims in both in the North and Eastern Provinces of Sri Lanka.

The Sri Lankan Civil War began in 1983 as a struggle between the separatist group, the Liberation Tigers of Tamil Eelam (LTTE), and government armed forces over the proposed separatist state 'Tamil Eelam'. The origins of the conflict were based on issues of language (Sinhala only) and ethnic access to university (University standardization policy in 1972). The proposed independent state, Tamil Eelam (1976), was initially put forward by the Tamil United Liberation Front in 1975, as a land for the Tamil speaking population of Sri Lanka. Later it was carried out by the LTTE as their prime demand in their independent struggle against the Sri Lankan government.

Previously, the LTTE was seen as a monolithic body of multi-ethnic composition, however in the late 1980s the internal religious and ethnic pluralism has surfaced. The different factions initially united at the outset of the conflict, subjected to a common enemy, state oppression. The duality and split in ethnic composition between the Northern (Jaffna) Tamils and Eastern (Batticaloa) Tamils emerged to undermine the notion of ethnic homogeneity within the LTTE. Such ruptures between the principal components of the LTTE point to internal structural challenges in appeasing cultural heterogeneity within the LTTE.

The Muslim community has been frequently caught in the middle of the conflict, many Muslims in Sri Lanka are Tamil speakers, and populate in the North and Eastern Provinces that are the sought territories for Tamil Eelam. As described at section 2.2 and 2.2.1 in the origins of the conflict, the Muslim minorities have increasingly been alienated by government policies and yet they have been deliberately targeted by the armed separatists for their supposed role in the conflict. The government has employed Muslim troops in action against the LTTE during combat operations with allegations of anti-Tamil civilian violence an

inflammatory allegiance that has said to have angered separatist forces into targeting Muslims to stop them siding with the government.

The victimization and alienation of the Muslim community in particular was most strikingly manifested in 1990 when 250 Muslims were killed during prayer in mosques at Kattankudy (130) and Eravur (120), by the LTTE. Later in 1990, LTTE's actions against Sri Lankan Muslims culminated, they were responsible for the expulsion and subsequent displacement of 75,000 Muslims from the Northern Province in Sri Lanka, an act for which they were greatly criticized in the international media. Jaffna was recognized very much as a land belonging to the Tamil Muslim minority, even by the LTTE leader, Prabhakaran (Daily Mirror, 2006), and the deliberately displacing of a population represents a violation of human rights and humanitarian laws. That the land was recognized as very much belonging to the Tamil Muslims in spite of the central government's historical attempts to colonize the area for Sinhalese groups demonstrates the resilience of the population, and such resilience has perhaps helped them sustain livelihoods in appalling conditions during displacement. Yet this in no way legitimizes the treatment received by the Muslims. The Tigers arrived in Jaffna ordering all Muslims to leave with little other than a change of clothes. This left all belongings of value to be looted by the armed forces, and resold through Tiger controlled shops producing funds for the continuation of aggression against state forces and the oppression of ethnic and religious minorities. This will be explained at section 3.3 & 3.3.1.

The LTTE further distanced themselves from Sri Lankan Muslims in 1990 via institutional conscience; they initially branded themselves as struggling on behalf of all Tamil speaking people, yet in light of the events of 1990, their rhetoric changed to be one of fighting for Hindu Tamils only. This was exacerbated by fighting with the Indian Peace Keeping Forces (IPKF), with whom Muslims were accused of siding with. In 1990 there were a large number of Muslim cadres in the LTTE (University Teachings for Human Rights,

2007), yet these became wary of being targeted due to the increasing repression of Muslims by the Tigers, and many deserted the LTTE, surrendering or going into hiding, marking the start of a chauvinistic philosophy within the LTTE (Ibid. 2007: 11). The severity of the actions taken by the LTTE towards Muslims produced thousands of IDPs both in the North and Eastern Provinces of Sri Lanka. Following sections 3.2.1 & 3.2.2 will explain in detail.

3.2.1. Conflict and Muslim IDPs in the Eastern Province

Conflict in Sri Lanka brought the Eastern Muslims into the crossfire. Traditionally Muslim elites and politicians cooperated with the Sinhalese ruling class. But at the times of conflict, such collaboration irritated the Tamils. Since 1985, relations between the Tamils and the Muslims in the Eastern Province had become strained. The tense relations were also encouraged by the demographic distribution of the ethnicities in the territories where conflict took place. The Eastern Province has an ethnic population where all groups inhabit in large numbers, with a distribution where Tamils account for 42%, Muslims for 34% and Sinhalese for 22% (Census Report. 2011: 12). This pattern of ethnic demography incites ethnic tension between the Tamil and Muslim groups over many issues.

The problem of land ownership distribution was one of the points of disagreement. Originally, a large number of Muslims were landlords in the Eastern Province. During the 1960s & 1970s Tamil farmers worked in Muslims' paddy fields as laborers. In the early 1980s when the armed conflict emerged, the LTTE mobilized the Tamil farmers to fight against to the Muslim landlords, accusing the Muslims of continuously buying paddy lands in the Tamil rural areas. As a result many Muslim landlords were forcibly evacuated from their lands and became IDPs in nearby Muslim villages. This continued for few years in the late 1980s. In some cases, the Muslims who resisted to evacuate from their home and protested against the LTTE in the Eastern Province were killed (Imtiyaz, ARM. 2012: 7-9).

Business competition was another issue that widens the gap between the Tamil and Muslim ethnic groups in the Eastern Province. It was noted that the Muslim traders ran most of the businesses such as textiles, home needs, real estate and gem & jewelers. This was interpreted wrongly by the LTTE and mobilized the Tamils against the Muslim traders in the Eastern province. As a result many shops and factories were looted by the Tamil mobs. The above examples show that the conflict between the Tamils and Muslims was originally created by the LTTE for their own sake.

When the LTTE emerged as a militant group in the early 1980s some Muslim youths joined this group in support of their so-called Tamil independent state. But when the LTTE began to kill the innocent Muslims in the Eastern Province the Muslim LTTE carders left the LTTE and joined the Sri Lankan government forces. As a result the Sri Lankan government formed a “Home Guard group”²⁴ in the Eastern Province and urged these ex-LTTE Muslim carders to fight against the LTTE. This widened the gap between the Tamil and Muslim ethnic groups in Sri Lanka and resulted in many massacres and internal displacements in the Eastern Province, the Kattankudi Massacre being one of them (Ibid. 2012: 10-12).

On Friday evening of the 3rd of August 1990, some 300 men were at prayer in the Meera Jumma Mosque in Kattankudi, a densely populated Muslim town on the Eastern seaboard. At around 8 o’clock, LTTE gunmen drove up to the mosque, locked the doors to prevent escape and began firing into the crowd inside with automatic weapons²⁵. A similar incident took place at the Hussainiya mosque nearby on the same day. More than 150 men and boys were killed in both incidents. Other 14 were killed in Akkaraipattu on August 5th

²⁴ Home Guard is a village level armed group that was formed by the Sri Lankan government forces to protect certain villages from the LTTE and support to the Sri Lankan forces as well.

²⁵ This was the first time in the Sri Lankan history that Muslims were killed inside the mosque while they were praying in the night. It was highly condemned by some Muslim countries.

and 15 more in various locations over the next two days. The August 3rd massacre in Kattankudi was followed by several weeks of attacks on the Muslim community, marked in many cases by extreme brutality (Ibid. 2012: 13-14).

A Tamil human rights group reported an LTTE massacre in Eravur, near Batticaloa (Eastern Province), in which around 120 people reportedly died: the LTTE cadets arrived in Eravur about 10.30 p.m. on 11th of August and went about massacring Muslims until the early hours of the morning. They went through the Muslim areas of Surattayankuda, Michnagar, Meerakerni, Saddam Hussein village and Punnakuda, killing 121 persons. Among the worst reported incidents was the cutting of a pregnant lady's stomach. The baby was pulled out and stabbed by the LTTE (Ibid. 2012: 8-10).

The above events were a huge shock to the Muslim community in the East. The expulsions and killings had broader ramifications. Many Muslims fled the villages and areas of predominantly Tamil population to the more secure Muslim towns and villages along the Eastern coast. Others abandoned paddy lands they owned in rural Tamil areas, fearing for their safety if they went out to cultivate their rice fields. Many of these lands have remained inaccessible for Muslim owners. According to the Muslim Information Centre (MIC) that at least 63,000 acres were lost in the Eastern province as a result of the events of 1990 (Ibid. 2012: 11). Apart from these incidents a number of killings, abductions, tortures and internal displacements also took place on various occasions until the war ended in May 2009.

The conflict in the Eastern Province was marked by a mix of issues, which widened the gap between the Tamil and Muslim ethnic groups. From the Muslims' point of view the LTTE aimed to weaken the Muslims' political, economical and social power in this region. At the same time, the LTTE did not want to see another minority (Muslims) challenge their so-called Tamil homeland. However, since the conflict's end in May 2009, all Muslims who

temporarily became IDPs within the Eastern Province eventually went back to their hometowns and now live peacefully. Currently there is no Muslim IDPs in the Eastern Province except a few IDPs, which resulted from the tsunami in December 2004.

3.2.2. Conflict and Muslim IDPs in the Northern Province

The Northern Province is where most of the Tamils live in Sri Lanka. According to the Census report in (1981), 92.3% of Tamils were settled in that area while only 4.7% of Muslims and 3.17% of Sinhalese lived there. Regardless of the numerical difference, the Muslims lived in the North for several centuries with no conflict with the Tamil majority. Muslims and Tamils in the North traditionally integrated into local life as interdependent communities. There were Muslim traders, tailors, ironmongers, laborers, doctors, engineers and scholars (Hasbulla, SH. 2005).

A shift in the peaceful relations happened at the time that the Sinhala Only Language Policy was introduced by the Sri Lankan government in 1956. This policy widened the gap between the Sinhala and Tamil ethnic groups. The Muslims, especially of the North and the Eastern Provinces were equally affected by the language policy, which encouraged some of them to join hands with the Tamil political parties in their fight against discrimination (Hasbulla, SH. 2005).

After the general election of 1960, the Tamil Federal Party (TFP), which was also known as the Tamil Arasu Kadchi (TAK) became the principal representative body of the Tamils and had two Muslim Members of Parliament (MPs) elected by the Muslims of the Eastern Province (Ponnambalam, S. 1983: 14). In January 1960 the Federal Party called for a civil disobedience campaign against the Sinhala language policy and started a protest in front of Government offices, asking the Tamils not to co-operate with Government officers

working in Sinhala language (Ibid. 1983: 15). In fact, it was very successful in the North and Eastern Provinces.

Subsequently, in February, a second phase of this non-violent agitation began, calling upon the entire population of the North and East, including the Muslims, to join the campaign. The campaign spread to Mullaitivu, Mannar and other districts in the Northern Province. Noticeably, a large number of Muslims led by lawyers, politicians and businessman joined the non-violent activities in Jaffna the capital of Northern Province of Sri Lanka (Ibid. 1983).

Such was the amity that existed between the Muslims and the Tamils at that time when turbulence started to brew between the Tamils and the Sinhalese, that it was no surprise that the government viewed this amity with envy. It has been alleged that this prompted the government to scheme to divide these two communities, and weaken the Tamils fighting against discrimination. Many attempts were made to entice the Muslim population to support the Sri Lankan government (Ibid. 1983: 16).

In the late 1970s there was a political dispute between the Tamil and Muslim political elites when choosing the political candidate for the next election (1977), as a result some Muslim political elites in the Eastern Province joined with the Sinhala majority and contest the election together with the Sri Lankan government. This irritated the Tamil political elites and the Tamil militant group (LTTE) as well. From the Tamils' point of view the Muslim political collision with the Sri Lankan government was a plot against the minority rights. Since then the conflict between the Tamils and Muslims extended to various issues. The political alliance with the Sinhala majority was a choice from the Eastern Muslims. Nothing to do with the Muslims in the North, it was purposely misinterpreted by the LTTE and spread the violence against the innocent Muslims in the Northern Province.

In October 1990, the LTTE forcibly expelled all Muslims from the Northern Province of Sri Lanka. Apparently, this expulsion of the Northern Muslims was an outcome of the disagreements with the Muslim political elites in the Eastern Province, a result of a plot by the LTTE to weaken their political and economic power in this region. The following section will explain in more detail how the ethnic cleansing of Muslims happened and the process of internal displacement that took place in the Northern Province.

3.3. Ethnic Cleansing of Muslim IDPs in the Northern Province

The Muslims from the Northern Province were forced to leave their homes in the third week of October in 1990. In many places a very short ultimatum was given for them to leave the region (2 to 24 hours). The LTTE cadres went from village to village in the Northern Province, announcing over loudspeakers that Muslims had 48 hours to leave LTTE-held territory or face reprisals. In Jaffna, Muslims were given only two hours to leave and permitted to take just 150 rupees (\$1.40) with them. In other areas, they fled with just their clothes and a little money²⁶. They left behind as much as Rs. 9,410 million (\$100 million) of property and valuables (Hasbulla, SH. 2004: 4-6). Table-5 shows the number of Muslim families and villages at the time of ethnic cleansing in the Northern Province of Sri Lanka.

Table: 5 - Population During the Ethnic Cleansing – 1990

District	Families	Number of villages
Jaffna	3475	06
Mannar	8200	43
Vavuniya	1800	15
Mullaitivu	1000	06

²⁶ In fact, it was personally experienced by the author, when his family was forcibly evicted from the North.

Kilinochi	525	05
Total	15,000	75

(Source: Prepared by Author based on some statistics from Hasbulla, SH. 2004).

According to the table-5, 15,000 Muslim families were forcibly displaced by the LTTE from 75 Muslim villages in five districts. This shows that the majority of Muslims became IDPs in Mannar district (8,200 families) while the lowest numbers of displaced people were recorded in Kilinochi district (525 families).

When the ethnic cleansing happened in 1990 some Muslim religious leaders appealed to the LTTE to change their policy but their request was rejected. The LTTE cadets justified their policy as orders coming from the very top of the Tamil organization. Nobody else seemed willing to help. Government forces did nothing to prevent the expulsions. Dr. Hasbullah (2004), a scholar expert on the Sri Lankan conflict, claims that: “international humanitarian agencies, some of which were working in the Northern Province, made no effort to give international pressure to prevent the forcible expulsion of the Muslims.

The number of those expelled is not known exactly. Some 15,000 Muslim families were living in the North at the time and almost all are thought to have been victimized somehow. The best research suggests that at least 75,000 people were forced out from the entire Northern Province. IDPs fled across difficult terrain towards government-controlled areas in Vavuniya and Anuradhapura district, while many from Mannar and Jaffna fled by ships and fishing boats to Puttalam district and further south, where many continue to reside until now without any repatriations (Ibid. 2004: 7-9).

Some of the richer exiles – particularly the Jaffna business community – settled in southern suburbs of Colombo and other parts of the Western province, but most had no money or resources and were forced to live in IDP camps and makeshift housing. Some

65,000 were in the Puttalam district. Many of them settled in the barren Kalpitiya Peninsula, surviving in simple huts or in camps, although gradually some have built up more permanent structures. Many continue to hope they will one day return but that hope has gradually faded due to the lack of initiatives from the Sri Lankan government (Ibid. 2004: 9-10).

According to Dr. Anees (2006) there are many motives for the forcible evictions of Muslims in the Northern Province, including political, economic and other reasons. Three main political reasons have been identified for the Muslim expulsion in this area: (1) making Northern Province as a Tamil ethno monopoly region, (2) reduce the political influence of the Sri Lanka Muslim Congress (SLMC) among the Northern Muslims, and (3) reduce the affiliations of the Muslims with the Sinhala majority in the Northern Province. Two issues have been identified as economic factors the expulsion: (1) enjoying the economic resources that belonged to the Muslims and (2) economically weakening the Muslim ethnic group to reduce their power. Regarding other reasons there are other four issues identified: (1) revenging the Northern Muslims because of the anti-Tamil actions of the Eastern Muslims, (2) satisfying the Eastern LTTE cadres where they had some fights with the Muslim home guards, (3) sending a message to the Eastern Muslims that this will happen soon to the Eastern Province, (4) internationalizing their issue. The above factors pulled the Muslims from the Northern Province and led them to be IDPs over two decades in Puttalam.

The following table-6 shows the total losses caused by ethnic cleansing in Sri Lanka. The value of assets robbed by the LTTE during the ethnic cleansing in 1990 was Rs. 9,410 million or US \$ 100 million. It is reported that more than 10,000 houses were damaged and nearly 63,000 acres of lands (paddy field, coconut & high lands) belonged to Muslims of the Northern Province were forcibly taken over by the LTTE. The lands that belonged to the displaced Muslims from the Northern Province remained under the control of the LTTE for 19 years, from 1990 to 2009. Apart from this agricultural instrument, thousands of motor

vehicles and cattle were taken away by force by the LTTE (Hasbulla, SH. 2005: 8-10).

Table: 6 - Total Losses Caused by Ethnic Cleansing

75 Muslim predominant traditional villages totally abandoned
128 Mosques, 26 Shrines, 189 Madras's & 85 Schools
13,978 acres Paddy & 18,907 acres Coconut & High lands (39,363)
A total of 7,117 brick houses & 59,390 Cattle
About 1,000 shops & 876 other business related buildings
About 400 motor vehicles, 797 motor bicycles & 4,041 bicycles (5,892)
Numbers of people suffered from mental traumas
An estimated economic losses: Rs. 9,410 million (1990 calculation)

(Source: Prepared by author based on various sources on Muslim IDPs)

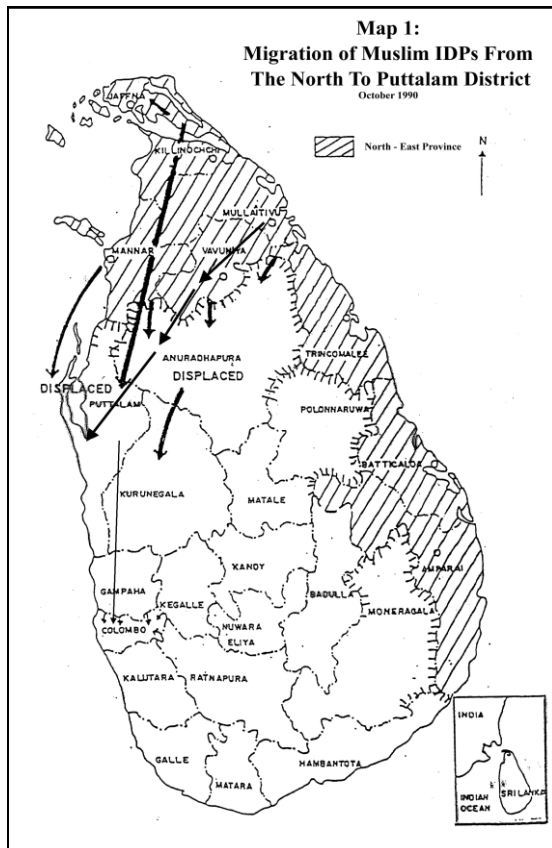
The above figures show that the Muslims in the Northern Province were highly affected due to the ethnic cleansing by the LTTE. It has been more than two decades since the ethnic cleansing happened, but still there is no compensation for such losses from any party, neither from the Sri Lankan government or international community.

3.3.1. Process of Expulsion

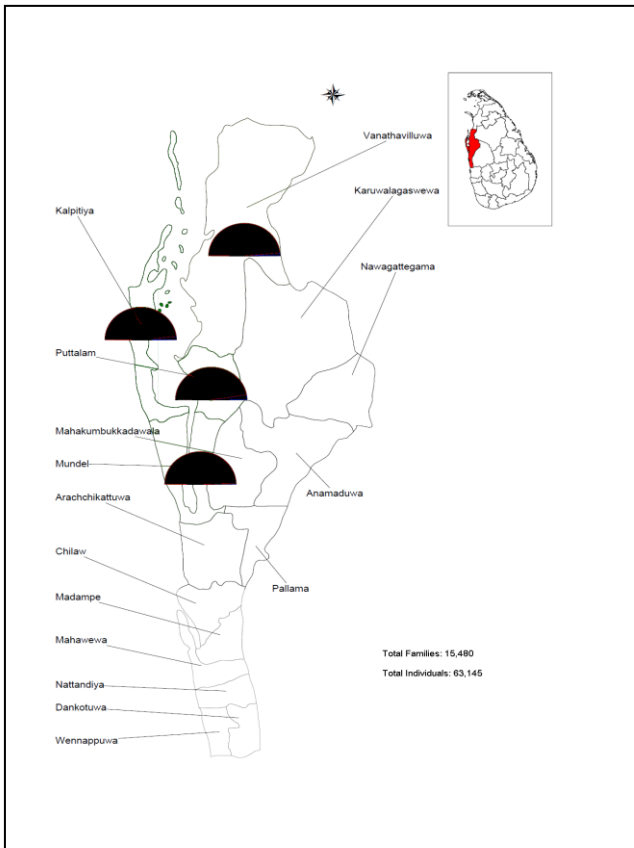
In 1990, when the Eelam War II started, the LTTE forcibly expelled about 15,000 Muslim families from the Northern Province in five districts: Jaffna 3,475 families, Mannar 8,200, Vavuniya 1,800, Mulaitheevu 1,000 and Kilinochi 525 (Hasbullah, SH.. 2005). It is reported that the above Muslims were given only a few hours (2 to 24) to leave their homes, which left them no option but to leave without taking any belongings with them. According to Dr. Anees (2006) there was no transportation provided to the fleeing Muslims. Some walked about 160 KM to reach Puttalam while some others took a sea route for the same destination.

The following maps explain how the internal displacement took place from the Northern Province to North-Western Province and their present location as IDPs in four administrative divisions: Kalpitiya, Puttalam, Mundal, and Vannathavillu in the Puttalam district.

Map 7 - Process of Expulsion



Map 8 - Present Location as IDPs in Puttalam



Source: Prepared by author based on the UNHCR and World Bank Report. (2007).

According to Map-7, the Muslim IDPs from Jaffna, Kilinochchi, Mullaitheevu, and Vavuniya districts mainly used the land route (on foot) to reach the Puttalam district while the Mannar people took the sea route (fish boats) to reach their destination. Those who came through the sea route settled in Kalpitiya seashores while the others who took the land route settled in the mainland of Puttalam district.

3.3.2. Livelihood Difficulty

Since the time of their expulsion, Muslim IDPs in Sri Lanka have been living in

miserable conditions of displacement. The IDP camps have de-moralized men, women, children and elderly people who are deeply affected physically, physiologically, socially, economically and educationally by their circumstances (Hasbullah, SH.. 2005).

Regarding their livelihood, the Muslim IDPs faced many economic difficulties in Puttalam and other areas where they still live in IDP camps. In Puttalam there are 40,000 Muslim IDPs living in the North-West coastal region. The total population of this region doubled with the arrival of Muslim IDPs. When the Muslim IDPs first arrived in 1990, the region was among the least developed areas in the country and was in no position to offer economic opportunities to the IDPs. More than 90% of IDPs depended on dry food-rations provided by the Sri Lankan government and the World Food Program (Haniffa, F. 2007: 9). Moreover, due to the scarcity of resources in the area, it has not been possible for the IDPs to become self-sufficient. The substandard quality of food items and their improper distribution have also seriously affected the IDPs.

Moreover, the arrival of IDPs also created some contradictions and competition between the local residents and IDPs over political, economic, educational, natural resources, job opportunities, and other resources. Apart from this, lack of drinking water, sanitation, health-care and garbage disposal are also considered as general problems for many IDPs in the Puttalam district. The author verified this during a series of fieldwork research (2008, 2010, 2012 & 2013) in the Puttalam district).

3.3.3. Relocation Problem

Since 2007, the relocation process has taken place with financial assistance from the World Bank. A number of issues have been identified with regard to the relocation of Muslim IDPs in the Puttalam district. Firstly, the issue of IDPs is becoming a grave issue due to the length of their displacement (17 years) and the growing concern of international

organizations. The UNHCR has estimated that about 75% of IDPs continue to live in IDP camps in the past 17 years (UNHCR report. 2007: 5). Among those displaced, 97% of IDPs live in four of the existing 17 administrative divisions: Kalpitiya 55%, Puttalam 33%, Mundal 8% and Vannathavillu 3% (UNHCR. 2007: 6).

The Muslim IDPs who live in the above mentioned administrative divisions also present similar circumstances in their life of internal displacement than those in their previous hometowns. When IDPs came to Puttalam in 1990, they managed to find places to live together with their friends and relatives. During the fieldwork survey in Sri Lanka (2008), it was noted that many IDPs in Kalpitiya division live with their friends and relatives, which resembles their previous lifestyle in their hometowns. Even though some of the members of their cluster communities were scattered during the process of internal-displacement eventually they managed to live with their friends and relatives (Interview with village head man March 23, 2008).

According to an IDP camp officer at the Al-Manar camp in Kalpitiya division, there is a youth service organization that is very active in mobilizing the displaced people from different areas and supporting to find their relatives in certain IDP camps (Interview with IDP camp officer. March 23, 2008). Although, there are many issues that seem positive for the relocation of Muslim IDPs, there is no proper plan from the Sri Lankan government to relocate all Muslim IDPs in the Puttalam district or repatriate them back to their hometown. So far around 6000 Muslim IDP families were re-located in the Puttalam district under the World Bank housing project. The remaining IDPs (40,000) are still waiting for a new relocation or repatriation to their previous hometown. Unfortunately, the Sri Lankan government is only focusing on Tamil IDPs and their repatriation at the moment, and IDPs from Muslim origin suffer discrimination to be relocated. Following section will explain the World Bank housing project for the Muslim IDPs in the Puttalam district of Sri Lanka.

3.4. The World Bank Housing Project for the Muslim IDPs

The World Bank started to provide development aid for the Sri Lankan IDPs in the early 2000s. In 2002, there was a Cease Fire Agreement (CFA) between the Sri Lankan government and the LTTE with the facilitation of Norwegian government. During that time many international organizations such as UNHCR, UNICEF, UNDP, UN-HABITAT and the World Bank offered assistance to the conflict-induced IDPs and supported them to return to their original places. According to the UNHCR report in (2005), 40% of conflict-induced IDPs, mostly from Tamil origin, were repatriated in the North and Eastern Provinces of Sri Lanka. In 2006, the World Bank introduced a development aid for the Muslim IDPs and initiated a housing project in the Puttalam district. The goal of this housing project was to relocate about 50% of Muslim IDPs and increase their capacity building in four years, from 2007 to 2011 (World Bank report. 2007: 12).

3.4.1. Puttalam Housing Project

Puttalam is home for an estimated 65,000 displaced people from the Northern Province. Most of these IDPs (97%) are Muslims who were forcibly expelled by the LTTE in 1990. Prior to 1990, they were a small ethnic minority (4.7%) in the Northern Province and well integrated with their Tamil neighbors (CPA report. 2006: 12-16). When they were expelled in 1990, they moved to Puttalam and settled there in 142 IDP camps in four administration divisions: Kalpitiya 34,809, Puttalam 20,992, Mundal 5,336, and Vannathavil 2,008 (Ibid. 2006: 17).

The arrival of IDPs created a shortage of food, shelter, and drinking water as well as some conflicts between the Muslim IDPs and the local residents. As a result the Sri Lankan government and the World Bank jointly agreed to provide the Puttalam housing project for the Muslim IDPs and allocated some houses as well as welfare services for the local residents.

According to Naoko Ishii, former World Bank country director for Sri Lanka, the World Bank gave its approval for the Puttalam housing project in 2007 and asked the Sri Lankan government to implement a housing project for the selected beneficiaries. The purpose of this housing project was to provide cash grant for housing construction and increase their capacity building in four years. By doing this it was expected to enhance the peace, economic growth, capacity building and equity among the Muslim IDPs in Sri Lanka (Interview with Naoko Ishii. July 18, 2008).

The Puttalam housing project had the following objectives: first, to provide housing assistance to the IDPs; second, to supply safe drinking water to the IDPs; third, to provide sanitation to IDPs; finally, to regularize the land titles for the IDPs who have suffered much hardship during the armed conflict in Sri Lanka. In order to achieve the above objectives the World Bank committed to provide US\$ 32 million for the Sri Lankan government as a credit (confessional loan) with zero interest for 20 years. According to this project each eligible household received a grant of Rs. 250,000 (US\$ 2500) to construct a permanent house or Rs. 100,000 (US\$ 1000) to complete a partly-built house (World Bank Report. 2007: 13-16).

According to Naoko Ishii, the responsibility for providing the financial assistance mainly lied on the World Bank while the implementation of the housing project, prioritizing the components, and targeting the beneficiaries remained with the Sri Lankan government (Naoko Ishii July 13, 2008). It was reported that the Ministry of Resettlement and Disaster Relief Service was the main actor for implementing the overall project and worked together with the national water supply, drainage board, and the road development authority. The main purpose of this Ministry, being an implementation agency, was to relocate the Muslim IDPs to a suitable environment and look after them throughout the housing project (Interview with Minister Rishad Badiudeen March 20, 2008).

The Puttalam Housing Project Unit (PHPU) adopted some criteria for the selection of beneficiaries from both, the IDP camps and individuals. For selecting the IDP camps there were three criteria: the percentage of temporary thatched houses in each IDP camps; the percentage of IDP households who possessed land in each IDP camps; and finally, the percentage of households that opted to settle in the Puttalam district. Regarding the selection of IDPs, the house hold should have to meet the following criteria to be entitled for housing assistance: the IDP must have his or her own land with the legal document; the head of the household and the majority of household members must live in the IDP camp; the IDP should not have a permanent house in Puttalam and should not have received similar housing assistance in their place of origin; and lastly, the IDP should not have had a temporary or partly completed house within IDP camp (World Bank report. 2007: 23).

The Puttalam Housing Project Unit (PHPU) focused on the following four components: housing assistance, infrastructure, technical support, and project management. Each component had its own portion from the total budget and expected to deliver a better service to the beneficiaries. The World Bank introduced an owner driven approach in which the beneficiaries must carry out the housing work via the financial support from the World Bank. From the World Bank point of view it was the first time that it has introduced such approach and provided fund for the housing project for the Muslim IDPs in the Puttalam district (Interview with Naoko Isshi. July 13, 2008).

3.4.2. Evaluating the Puttalam Housing Project

The author of this research conducted fieldworks to research the Puttalam housing project during March 2008, May 2010 and in March 2012. The field research aimed to investigate the progress of the project and its impact on the life of the Muslim IDPs in the Puttalam district. This section will present an analysis of this project aimed at evaluating the

extent to which the World Bank housing project improved the living conditions of Muslim IDPs in the Puttalam district in the past four years, from 2007 to 2011. This section will evaluate the following four components: housing assistance, infrastructure, technical assistance and project management.

Component One: Housing Assistance

Regarding housing assistance, the World Bank allocated US\$16.1 million to build 7,885 houses in the Puttalam district. This targeted around 50% of the total housing needs for the Muslim IDPs. According to the World Bank housing project report in 2007, it was estimated to build 5,653 new houses and 2,232 half-completed or semi permanent houses in 99 IDPs camps in four administrative divisions: Kalpitiya 33, Vannathavillu 26, Puttalam 22 and Mundal 18. The houses were to be phased in over four years: 1,463 houses targeted for construction in 2007; 2,201 houses in 2008; 2,031 houses in 2009; and 2,190 houses in 2010 (World Bank Housing Project Report. 2007: 13-15).

The process of housing construction took place in four phases over six months. Each phase received different amounts of cash grants based on the process of housing construction. For building a new house, Rs 250,000 (US\$ 2500) was the fixed cash grant per household to complete their construction within the expected period. As for the partly completed houses, Rs 100,000 (US\$ 1000) was the fixed amount per household to finalize their efforts.

Table 7 - Cash Grant Payments Structure

Cash Grant for Permanent houses Rs 250,000	Amount in Rupees	Physical Progress	Construction of Permanent house
Installment-1	50,000	Earth-work-for foundation	Certification-by Technical Officer (TO)

Installment-2	60,000	completion of walls	Certification by TO
Installment-3	80,000	completion of roof	Certification by TO
Installment-4	60,000	completion of house	Certification by TO
Cash Grant for Partly Completed houses(Rs 100,000)	Amount in Rupees	Physical Progress	Completion of partly Completed house
Installment-1	50,000	Work begins	Certified by TO
Installment-2	50,000	Completion of work	Certified by TO

(Source: World Bank project appraisal document in 2007: 30).

According to table-7, the installment of new houses took place in four steps while the completion of partly completed houses took place only in two steps with different amounts of cash grant. The reason for dividing cash grants into several installments was just to make sure that the beneficiaries were really using the money for building houses and encourage them to finish it as soon as they could.

The amount and the number of installments were decided jointly by the Sri Lankan government and the World Bank, with the consultation of several implementing partners. In fact, the proposed amount was not enough to build a standard house when compared to the price needed for building a house outside of the camp. However the World Bank and the Sri Lankan government just wanted to encourage the people to get involved in the construction process and improve their capacity building.

Although the housing component provided cash grants for the housing constructions, there were some issues which remained unsolved in this project such as the selection of beneficiaries and cash grant. Regarding the selection of beneficiaries, the Ministry of Resettlement and Disaster Relief Service used the UNHCR revalidation survey report carried

out in 2006 for the UNHCR's purpose. This report was in fact not comprehensive enough to address the vulnerabilities of IDPs and their provisions on housings. Moreover, the Ministry of Resettlement and Disaster Relief Services also prioritized some houses for the political supporters at the grass root level which eventually led some Muslim IDPs who really needs housings out of this project as observed by the author during the fieldwork in Sri Lanka.

Many IDPs also pointed out that the cash grant that the World Bank provided was very little to build a house. It was noted at the Hidayath Nagar (Mundal administrative division) that some IDPs pointed the insufficiency of the cash grant that they received from the World Bank to complete their housing construction. Further they added that due to the process of housing construction many poor IDPs had to sell their jewelries and valuables to complete the houses. "In a way we were happy that we got houses but in other way we became more indebted" (Interview with a group of IDPs at Hidayath Nagar. March 21, 2008).

Moreover, there was an income gap between the rich and poor among the Muslim IDPs. There were some Muslim IDPs who were relatively rich compared to other IDPs. At Mohideen Nagar in the Puttalam administrative division, the rich have built big houses using the cash grant together with their own savings while the poor have struggled to finish their housing construction using their limited budget. The cash grant for housing construction largely helped rich people to build good houses while it brought extra burdens and debts for the poor IDPs. According to the author's point of view, the purpose of housing assistance for the Muslim IDPs was good, but when it comes to the selection of beneficiaries and cash grant there were many shortcomings in this housing project.

Component Two: Infrastructure

The World Bank allocated US\$ 15.9 million for providing infrastructure for both the Muslim IDPs and some selected local residents in the Puttalam district, which included: water,

sanitation, environmental protection, settlement plans, and road developments. The purpose for providing infrastructure was to enhance the welfare services and encourage the Muslim IDPs to engage in the relocation program. According to the World Bank report in 2007, 13,000 IDP families and 4,000 local residents were targeted for provisions of infrastructure over four years. It was reported that about 5,000 tube wells, 100 water tanks, 8,500 toilets and 100 KM internal roads were targeted to be constructed for the above beneficiaries (World Bank Annual Report. 2007: 13-15).

Although a number of works were targeted and carried out on the infrastructure sphere, still the demand for the infrastructure was too high when compared to construction. In fact, there was an ongoing dispute between the Muslim IDPs and local residents about sharing the infrastructure, which somehow slowed down the process of delivery of infrastructure and hindered the construction efforts in some areas. Moreover, the improvement of infrastructure also seemed slower when compared to the housing construction, because the housing construction was under an owner-driven approach in which the beneficiaries had more responsibility to build houses while the infrastructure was implemented under a donor-driven approach in which certain authorities and organizations had to go through a series of administrative process (World Bank Annual Report. 2007: 17). The author's evaluation of this component indicates that the approach used by the World Bank, both owner driven and donor driven, was not successful for the implementation of the housing project in the Puttalam district of Sri Lanka.

Component Three: Technical Support

The Puttalam housing project included technical assistance as a key component for strengthening its implementation. In particular, it gave technical support to the regulations of land title, ran a communication campaign, social impact assessment, environmental audit,

housing assessment, and skills trainings. The regulations of land title aimed to review the possession of land and attempted to provide legal documentations for the IDPs. Through this regulatory measures, around 75% of IDPs who possessed their own land obtained legal documents between 2004 and 2008 (Interview with World Bank housing project director. March 20th, 2008). There was also an important communication campaign aimed to the mobilization of the people to become involved in the project. Social impact assessment activities took place, monitoring the community participation and providing feedback on the project implementation. The environmental audit examined the project from the environmental perspectives and submitted the report to the Puttalam Housing Project Unit (PHPU). The technical audit monitored the construction of housings and provided necessary consultation to the beneficiaries. The housing assessment monitored the process of housing construction and included the people left out of the housing project. It was noted that from 2006 to 2008 there were about 1500 new IDPs, those who were excluded previously from the housing project, were included into the World Bank Housing Project (World Bank Housing Project Annual Report. 2007: 17).

According to the housing project director, the Puttalam Housing Project Unit (PHPU) selected about 1000 youths and provided vocational trainings for them in carpentry and construction work. The purpose of this vocational training was to produce more skilled workers for the housing construction. Although the Ministry of Resettlement and Disaster Relief Service said that it provided technical assistance and vocational training for the youths for the housing constructions, there was a shortage on the ground level for the construction²⁷. For example, at Azhar Nagar in Kalpitiya administrative division, some IDPs pointed out that they didn't have enough carpenters and construction workers, which caused delays in the housing construction (Interview with group of IDPs. March 20th, 2008).

²⁷ Personal observations, during the fieldwork research in Sri Lanka.

Component Four: Project Management

A general administrative body, which included a director, financial manager, engineer, environmental specialist, and few technical officers, was in charge of the project management and of the integration of previously excluded people into the project. Although, the administrative body functioned within the housing project its role was generally limited to the ground. Due to the fact that the housing project was somehow politicized at the grass-root level, it could not work independently. During the conducted fieldwork it was observed that there was a lack of coordination between the officers and beneficiaries from top to bottom. The higher-ranking officers or decision makers in the housing project did not know much about the ground reality, and mainly relied on the local staff to receive the information about IDPs and the process of housing construction.

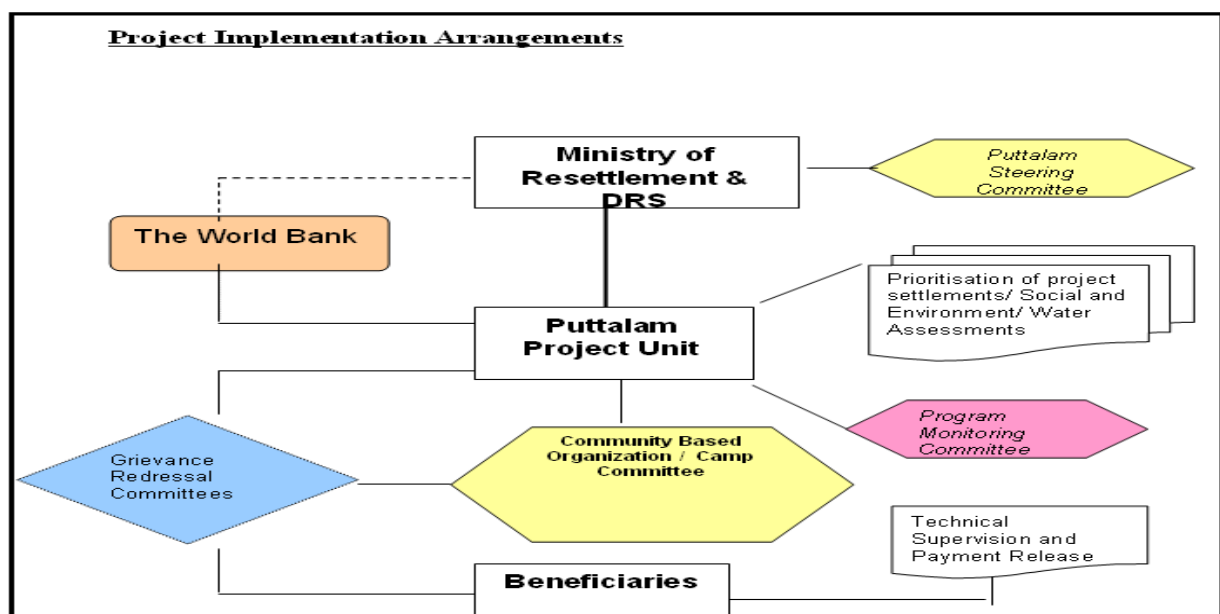
At the same time the beneficiaries who received the cash grant for the housing constructions did not know much about the cash grant system and did not have any means of contacts with the higher ranking officers. The only way that both IDPs and the higher-ranking officers could communicate was through the local staff. The local staffs sometimes did not provide enough sources to the project director and did not bring the issues of IDPs to the policy makers. The project director in the Puttalam district explained during an interview in March 2008 that he visited the IDP camps in only two occasions during two years of work in the Puttalam district. Although the director was located in the Puttalam district, he did not visit to the field where the housing construction was going on.

In addition to this, there was a lack of coordination and commitment among the local authorities and the domestic NGOs involved in the housing project. Each NGOs and respective authorities had their own agenda, which did not allow them to work closely each other (Interview with NGOs staff. March 20th, 2008). The authorities and NGOs prioritized

certain policies and issues for IDPs, but the coordination among the authorities remained as obstacles for the efficiency.

The process of implementation mainly followed a top down approach (see the following framework-1). According to the framework, the Ministry of Resettlement and Disaster Relief Service was the prime organization for implementing the housing project. It received the financial assistance from the World Bank and transferred to the Puttalam Housing Project Unit (PHPU), which was in charge of the housing construction and monitoring the implementation. The PHPU was linked with a number of committees: grievance redressal committee, community based organization camp committee, program monitoring committee, and prioritization of project settlements committee. Each committee had different tasks and was involved with a number of issues. For example, the grievance redressal committee aimed to find the people left out of the housing project and attempted to include them into it. At the same time, it also functioned as a bridge between the PHPU and the beneficiaries (World Bank Housing Project Annual Report. 2007).

Framework 1 - Project Implementation Arrangements



(Source: The World Bank Housing Project Annual Report. 2007)

Although the implementation of the housing project worked as shown above, there were some problems on the ground regarding its effectiveness. The structure of project implementation, for example, relied on a top-down approach in which the beneficiaries had less opportunity to express their needs and rights to the decision makers. Although the grievance redressal committee bridged the beneficiaries with the PHPU, their opinions did not generally reach to the policy / decision makers (Interview with a group of IDPs in the Puttalam district March 22nd, 2009).

3.5. Evaluating Some Selected Indicators

For the purpose of this study three indicators were selected for evaluating the impact of the housing project on the target population: health, education, and job employment. The purpose for choosing the above indicators was to provide a comparison of the improvements of each before and after the housing project took place, and to assess the impact that it had on the general welfare services of the Muslim IDPs and the local residents. Prior to the housing project the Muslim IDPs shared the public services with the local residents with many difficulties. However, after the housing project the welfare services improved and people have easier access to each sector.

3.5.1. Health & Education

Puttalam, as one of the least developed districts in Sri Lanka, had very limited access to health services in the past. Prior to the housing project there were few hospitals, medical clinics and first-aid centers. The services that existed were mainly aimed to provide counter medication for the patients. After the housing project in 2007, six new hospitals, 2 midwife clinics, and 12 healthcare centers were built by the Sri Lankan government under the World Bank housing project (Interview with IDP camp officer in Puttalam March 17th, 2008).

According to the Puttalam housing project director, the health sector greatly improved after the project implementation. For example, the Puttalam teaching hospital, which did not have an Intensive Care Unit (ICU), received funds for its construction from the Puttalam Housing Project Unit (PHPU). The PHPU also provided funds for buying medical equipment and enhancing the transportation to the hospital. It was reported that the PHPU donated 3 new Ambulances to the Puttalam hospital (Interview with project director March 18th, 2008). Nevertheless, the extent to which these improvements helped to the Muslim IDPs is questionable. One IDP pointed out that prior to the housing project he used to go to the neighboring hospital to get medicine. But after the housing project he began to get medicine from the newly built hospital (Interview with an IDP at Mundal administrative division in Puttalam March 19th, 2008). Still, the level of impact for the general Muslim IDP population is hard to evaluate.

Regarding Education, prior to the housing project, there was a shortage of schools, teachers, and tools for education in the area. The displaced students had to go to school in the afternoon session while the local students went to the morning school (Interview with a school principal at Kalpitiya administrative division. March 15th, 2008). After the housing project, the situation improved. Four new schools, 8 tuition centers, 3 external education centers and 2 libraries were built by the PHPU under the World Bank housing project (World Bank Annual Report. 2007: 22).

According to the Village headman in the Kalpitiya administrative division, the education sector greatly improved among the Muslim IDPs compared to the past. During the fieldwork research in Sri Lanka the author met a number of school students, who expressed a general sense of freedom to go to school and a desire to become school teachers or lawyers in the future (Interview at Mujahideen IDP camp. March 21st, 2008). In addition to this, the number of University entrance also increased among the Muslim IDPs. One IDP student

pointed out that around 5 to 7 IDP students go to University every year from the Puttalam district (Interview with an IDP student from Kalpitiya in Puttalam March 22nd, 2008).

3.5.2. Employment Opportunities

The Puttalam housing project was a venue for new employment for both the Muslim IDPs and the local residents. Many people got involved with the housing construction and infrastructure services, either as day laborers or on contractual basis. One IDP pointed out that he could earn around Rs. 500 (US\$ 4) a day in the housing construction, which was quite enough for a family about 5 to eat for one day (Interview with IDPs in Puttalam, 2008). Moreover, the housing construction also provided some indirect opportunities for the Muslim IDPs in the Puttalam district. One IDP pointed out that due to the housing construction; he was able to get a job in a cement factory where it produces more cement for this housing project (Interview with an IDP in Puttalam. 2008).

Apart from this, the PHPU also helped to provide vocational trainings and self-employments mainly targeted for the Muslim IDPs. According to a staff member of an NGO in the Puttalam district, more than 200 women received vocational training for sewing clothes and weaving mosquito nets under the Puttalam housing project. It was also observed that some women, both at Hidayath Nagar (Mundal division) and Mohideen Nagar (Kalpitiya division) in the Puttalam district raise livestock at their home with the support of World Bank housing project in Sri Lanka.

3.6. Conclusion

This chapter summarizes two major issues: conflict & Muslim IDPs and the Puttalam housing project. Regarding the conflict & Muslim IDPs, the prolonged armed conflict has deeply affected Muslims in the North and Eastern Provinces. Two historical

points mark the deterioration of the relation between Muslims and Tamils. The first one was the emergence of the Muslim political party in 1985. The second was the Muslim political alliance with the Sinhala majority in the late 1980s, which was interpreted by the Tamils as a betrayal to the Tamil minority in Sri Lanka.

From the Muslim perspective, the political dispute was no more than a political shift where some politicians from the Muslim minority decided to join the Sri Lankan government. This action resulted in the brutal killing of innocent Muslims in the Eastern Province and the forcible expulsion of Muslims in the Northern Province. Without a doubt, the reaction from the Tamil political elites and the LTTE against the Muslims was too harsh and brutal throughout the conflict in Sri Lanka.

The present chapter also reviewed the World Bank housing project focusing on two issues: the relocation of Muslim IDPs and the Puttalam housing project. Relocation was one of the durable solutions for the Muslim IDPs in Sri Lanka. And so far, this particular action of the World Bank has helped relocate a large number of Muslim IDPs in Puttalam district.

The World Bank housing project has a number of short-comings which were reviewed during the chapter and include: the selections of IDPs (beneficiaries) for the housing project, the cash grant for the housing project, project approach, and project implementation. The present chapter also evaluated some selected indicators such as health, education and employment opportunities for assessing the impact of the project on its target group. The evaluation showed that the World Bank housing project improved the education, health sectors and job employments in the area. Yet, it is questionable as to what extent these sectors have improved the quality of life of the Muslim IDPs in particular.

The overall conclusion of this chapter is that the Muslims of the Northern Province who were forcibly displaced by the LTTE are economically, socially and politically

vulnerable and powerless. The problems of these people linked to their displacements are severe and thus deserve special attention and solutions. To this point, the Sri Lankan government has not taken any meaningful steps in creating conditions to repatriation to the Northern Muslim IDPs who are willing to go back to their home land, nor has it taken any steps to pay compensation for land or property taken over by the LTTE during the conflict that concluded in 2009. The following chapter will explore the Muslim political alliance with the Sinhala majority and see how the political alliance has improved the political participation of Muslims in Sri Lanka.

CHAPTER – 4: MUSLIM POLITICAL ALLIANCE WITH THE SINHALA MAJORITY

4.1. Introduction

The purpose of this chapter is to explore how Muslims, as the smaller minority in Sri Lanka, participated in the politics of the country from the transitional period of independence (1948) to date (2013). The political participation of Muslims can be divided into three phases: (1) politics of Muslim political elites from 1948 to 1983, (2) Muslim political parties from 1983 to the present and (3) Muslim political alliance with the Sinhala majority both during and after the conflict. One of the key topics to explore in this chapter is the means that Muslims have used to create political alliances with the Sinhala majority to increase their political benefits and ensure their existence through political participation. Moreover, this chapter also focuses on the resettlement of Muslim IDPs and the limitation of Muslim political parties over this issue. The last section of this chapter focuses on the development assistance and its implementations among the Muslim IDPs in Sri Lanka.

4.2. Politics by Muslim Political Elites

The Muslim political elites made important alliances with the Sinhala majority and Tamil minority in the post-independence period (from 1948 to 1983). In part, these alliances were possible due to the ethnic demographic distribution in Sri Lanka. The Muslims in the Northern Province accounted for the 4% of the population and in the Eastern Province they made up about 34%. This presence allowed them to join the Tamils, who lived as a majority in the area, in the Northern and Eastern provinces. In other areas, the demographic pattern of Muslims represented 62% of the population, allowing them to make political alliance with the Sinhala majority in the country. The above figures shows that the Muslims who lived in the North and Eastern Provinces of the country supported to the Tamils while the Muslims who

lived in other parts of Sri Lanka supported to the Sinhala majority (Haniffa, F. 2011: 3-6).

The Muslim political elites in the North and Eastern Provinces could not bring any particular benefits to the Muslim ethnic group, but on the areas where the Muslim political elites were allied with the Sinhala majority, Muslims received some political benefits. Two Muslim political elite members are examples of this, the Razik Fareed and Badiudeen Mahmood. Both had significant political achievements via their political participation with Sinhala majority in the post-independence period of Sri Lanka (Ibid. 2011: 4).

Razik Fareed was one of the famous Muslim political elites in Colombo, known for being outspoken in addressing Muslims' interest in the parliament in the period from 1952 to 1956. He was a founding member of the United National Party (UNP) in Sri Lanka. Razik Fareed's political career was marked by attempts to institutionalize 'Muslim' as an administrative category within the State and thereby to have the Muslim cultural practices recognized and legitimized institutionally (Ibid. 2011: 5).

Razik Fareed achieved to gain a number of concessions for the Muslim community, including the leave for Friday prayers (Jummah) and the recognition of Meelad-un-Nabi, the Prophet Mohamed's birthday, as a national holiday. During his time schools with a majority of Muslim students were institutionalized as Muslim schools²⁸ with special calendars, syllabus and uniforms. Razik Fareed's actions greatly contributed to the institutionalization of a particular Muslim identity in Sri Lanka (Ibid. 2011: 6).

Apart from the political and educational services, Razik Fareed also lobbied to improve Muslims' businesses in Sri Lanka. In 1952 Razik Fareed was appointed as a Cabinet Minister for Trade & Investments. He utilized this Cabinet Minister position to improve business

²⁸ There are 749 Muslim Schools, 205 Quran-madrasas, and 01 Islamic university in Beruwala established in Sri Lanka. http://en.wikipedia.org/wiki/Islam_in_Sri_Lanka (Accessed on 01/07/2012).

among Muslims. Being part of the Muslim political elite, Razik Fareed also worked as lawyer, diplomat, and ambassador to Pakistan. His performance in these roles increased the credibility of Muslim political elites among the Sinhala politicians (Aliff, SM. 2012: 252).

Badiudeen Mahmood, an influential figure in the Sri Lanka Freedom Party (SLFP), was another important member of the Muslim community involved in politics. In 1956 when the former Prime Minister of Sri Lanka S.W.R.D. Bandaranayke was killed, Badiudeen Mahmood was appointed as one of the Cabinet Ministers (from 1956 to 1960). In this position Badiudeen Mahmood represented prominent Muslim leaders and attempted to address their political marginalization within the Sri Lankan polity (Ibid. 2012: 253).

During the post-independence period (1948 to 1983), Muslims were considerably disadvantaged in education. Most Muslims were engaged in business activities but a good percentage of them did not receive even primary education (Ibid. 2012: 255). Mahmood distinctively identified the disadvantages of the Muslim population, and focused much of his efforts to improve their education. In the late 1960s, for example, he appointed 3000 Muslim Islamic teachers (Moulavi Teachers) in order to improve the Islamic education in the country. For his achievements, he is now recognized as the father of Islamic education in Sri Lanka (Ibid. 2012: 256-257)

At the political level, Badiudeen Mahmood was committed to the success of his party. He manipulated Muslim vote banks to assure the SLFP's victory in at least one instance by mobilizing large segments of the Muslim vernacular intelligentsia around ideas of Islamic socialism. Forming the 'Islamic Socialist Front' (ISF), Badiudden Mahmood successfully mobilized a generation of educated Muslim youth, giving voice to Muslim opinion on vital national issues for several years. Badiudeen Mahmood ensured the shift of a substantial Muslim vote from the United National Party (UNP) that the Muslim trader elites were

traditionally loyal to, to the SLFP. After the SLFP victory of 1972, when the constitution was redrafted and Sri Lanka declared a republic, Badiudeen Mahmood organized a mammoth celebration of Muslims welcoming the government's initiative (Ibid. 2012: 258).

Razik Fareed and Badiudeen Mahmood have become emblematic examples of Muslim engagement with the State. Their recognition and achievements interlink with their power to mobilize their communities for political support and draw benefits from their position to improve the circumstances of the Muslim community (Ibid. 2012. 258). As mentioned by Ameer Ali (1997) “without forming a political party of their own like the Tamils, but by playing politics with the existing two national political parties, the Muslim leadership of post-independence period in Sri Lanka shrewdly guided their community to attain a level of progress which was unique in the history of any contemporary minority in the world”. De Silva, KM (1995) for example, recognizes “the Muslim's cultural accommodation with the Sinhala society and their pragmatic coalition politics with the Sinhala majority as the mark of good minority in the Sri Lankan history”.

In general, the Muslim political elites both Razik Fareed and Badiudeen Mahmood did a number of political services to the Muslim ethnic group in the post-independence period. Even though these two political elites came from two different political parties (UNP & SLFP) they were able to exercise their political power for the benefit of the Muslim ethnic group. From the author's point of view, these two Muslim political elites were successfully linked with the head of two national parties and as a consequence became influential Muslim politicians in the post-independence period.

Apart from those two prominent politicians, there were some Muslim scholars and religious leaders also extended their services to the Muslim community via their political participation with the Sinhala majority in the post-independent period in Sri Lanka. Dr.

A.M.A. Azeez and Dr. T.B. Jaya were two icons on this respect. Dr. Azeez was a famous scholar in the field of education. Due to his higher education and his educational services (as a director) to the country, the Sri Lankan government offered an honorable political post to Dr. Azeez in the late 1950s. Since then he extended his services to the Muslims not only as a scholar but also as a politician. Dr. Azeez was the father of trilingual education among some selected government schools in Sri Lanka. Colombo Muslim Zahira College, Colombo D.S. Senanayaka College, Colombo Royal college are some of them (Haniffa, F. 2011: 9).

Dr. T.B. Jaya was another prominent scholar among the Muslims in Sri Lanka. He was a famous scholar in the field of Law. He was appointed as a High commissioner to Saudi Arabia in 1952 and later in 1957 he was elected as a Member of Parliament (MP) in Sri Lanka. Dr. Jaya was the founder of Muslims courts and divorce systems (Kathi court) in Sri Lanka. Moreover, Dr. Jaya also introduced the Turkish Cap (Thurukki thoppi) to the Muslims (male) to wear during the court sessions and public events (Haniffa, F. 2011: 10). Following section will explain the Muslim political parties in Sri Lanka.

4.2.1. Muslim Political Parties

Disputes with the Tamil politics (1977) and the new electoral system (1978) were two key issues that lead the Muslims to form a separate Muslim political party in Sri Lanka. Since the independence (1948), the Muslims in the North and Eastern Provinces were traditionally supporting the Tamil politics. The grounds for this support were their agreement with the Tamil political elites to promote minority rights and the lack of political power that Muslims held at that time. This coalition ended after some political disputes with the Tamil political elites that encouraged Muslims to break their alliance and form a political party of their own in the Eastern Province²⁹ (Anees, MS. 2012: 13).

²⁹ This was the starting point of the long conflict between the Tamil and Muslim ethnic groups in Sri Lanka.

The new electoral system (Proportional Representative System- PRS) introduced in 1978 was the second factor that influenced Muslims to form a separate Muslim political party in Sri Lanka (Ibid. 2012: 14). Prior to 1978, there was a simple majority electoral system. Being a smaller minority made it difficult for Muslims to get elected into the parliament, forcing them to support the Tamils in order to participate in the political life of the country. However in 1978, after the PRS was introduced, a possibility emerged for the smaller minority (Muslims) to get elected in the parliament based on their percentage of vote in the election (Ibid. 2012: 15).

In Sri Lanka, Muslims began organizing political parties in the early 1980s. Two of the biggest Muslim organizations in this development were the Sri Lankan Muslim Congress (SLMC) and the Muslim United Liberation Front (MULF). The SLMC began as a social movement in 1981 and became a political party in 1986. The leader of the SLMC the late M.H.M. Ashraff did not believe that the Tamil struggle for an independent State was an important issue for the Muslims. MULF, on the other hand, join the Tamil United Liberation Front (TULF) and supported their minority politics. Ultimately, it was the SLMC that was the more successful of the two organizations, and MULF choose to merge with it in 1988 (Aliff, SM. 2010: 202-203).

Currently, there are three Muslim political parties in Sri Lanka they are Sri Lanka Muslim Congress (SLMC-1986), All Ceylon Muslim Congress (ACMC-2008) and National Muslim Congress (NMC-2008). In fact, both the ACMC and the NMC were the fraction of main stream of SLMC (Ibid. 2010: 203). The All Ceylon Muslim Congress is a Sri Lankan political party representing the Muslim community of Sri Lanka. It was formed in 2008 by four MPs elected to parliament from the opposition Sri Lanka Muslim Congress who had left their party and joined the ruling United People's Freedom Alliance (UPFA) in 2004. In the presidential election of January 2010 the party supported President Mahinda Rajapaksa and in

the April 2010 general election it contested as a part of the UPFA and won three seats. National Muslim Congress (NMC) is another Sri Lankan political party representing the Muslim community of Sri Lanka. In 2010 parliament election, the NMC won one parliament seat from the Ampara district in the Eastern Province of Sri Lanka (Ibid. 2010: 205).

In terms of Parliament Members the SLMC has 08MPs out of 225 while the ACMC has 03MPs and the NMC has 01MPs respectively. At present all three Muslim political parties made political alliance with the Sinhala majority and function as core political parties in the present government (United People Freedom Alliance - UPFA). Regarding the political power, only the SLMC can influence the present government, unlike the ACMC and the NMC. Since the ACMC and the NMC have less power in the present government, this study will focus on the analysis of the SLMC. The following section will explain the origin and growth of SLMC in Sri Lanka.

4.2.2. Sri Lanka Muslim Congress

The establishment of the Sri Lanka Muslim Congress (SLMC) in the early 1980s was a significant phenomenon in the development of Muslim politics. The party promised security and rights for the Muslims, particularly to the North and Eastern Provinces and adopted a system of electoral democracy to channel their demands (Aliff, SM. 2012: 253). Mr. Ashraff and his Eastern Province colleagues were the major engineers / founders of the party. Mr. Ashraff, the former member of the Federal Party led by S.J.V. Selvanayakam was very dexterous in understanding the mood of economically poor North and Eastern Muslims and employed ethno-religious slogans to lock the Muslim votes as the Sinhalese and Tamil parties do with their respective constituencies (Ibid. 2012: 258).

The SLMC clearly stressed the point that “it was a party pledged to follow the Quran and the Sunnah”. For Muslims, these two sources are the key guidance, and they would

prepare to do anything including hatred toward non-Muslims, if they were convinced with the arrangements pointed in Quran and Sunnah. Mr. Ashraff conscientiously understood this reality, and successfully used Islamic sources to outbid his UNP and SLFP opponents. He and his party employed the same ethno-religious strategy against the Tamils (Ibid. 2012: 259).

The SLMC had mosques as its base, particularly in the ethnically mix but politically volatile Eastern Province. The leaders of the party began their emotional political speeches and election campaigns by proclaiming Islam's basic teachings and Quranic verses such as "Laelaha Illallah Muhammadur Rasulallah" (Allah is the One and Mohammed is his messenger). Needless to say, such emotional religious appeals attracted the economically deprived and politically marginalized North-East Muslims³⁰. It mainly identified the Tamil polity as the primary enemy of the Muslims and attempted to cohabit with the Sinhalese polity, a kind of tactic successfully employed by its South centered predecessors (Ibid. 2012).

The SLMC's growth and tactics had goaded the Tamil Tigers (LTTE). With this religious-ethnic emotional baggage, the SLMC contested several elections since 1988. In the 1989 parliament election the SLMC won 4 seats out of 225, in 1994 the SLMC won 9/225, in 2001 the SLMC won 10/225, in 2004 the SLMC won 11/225, in 2010 the SLMC won 8/225³¹. With the political capital the SLMC earned from the Muslim masses the SLMC primarily employed a strategy of political accommodation, a kind of strategy Colombo-centered Muslim elites adopted to win the Sinhala political class. Mr. Ashraff effectively negotiated, and won key portfolios from the Sinhala ruling parties for the SLMC (Haniffa, F. 2011: 7).

³⁰ It was noted at the 2004 election that most of the women became the members of the SLMC than men in the North and Eastern Provinces. This indicated that the SLMC not only attracted the men but also women voters in the North and eastern Provinces of Sri Lanka.

³¹ If you look at the Members of Parliament (MPs) there was a slight decrease from 2004 to 2010. It was an impact due to the fraction of ACMC and NMC from the main stream of SLMC.

Mr. Ashraff and his party colleagues filled key ministerial posts such as the Ministry of Ports and Shipping, and Eastern Development as well as other significant positions in government institutions and diplomatic appointments (Ibid. 2011: 9-10). In fact, the SLMC was very successful in terms of obtaining some political benefits from the Sri Lankan government by forming a political alliance with the Sinhala majority in the late 1990s and early 2000s. The establishment of the South Eastern University and the construction of the Oluvil harbor in the Eastern Province are two of the SLMC's great achievements that took place under the leadership of Mr. Ashraff (Ibid. 2011: 9).

Mr. Rauff Hakeem, a key charismatic leader of the SLMC, filled the leadership when Mr. Ashraff's life was concluded with a tragic air accident on September 16th, 2000. Mr. Hakeem who hails from the Central Province (Navalapitiya) of Sri Lanka decided to follow in the footsteps of late Mr. Ashraff with some notable flexibility. He met the LTTE leader, Mr. Veluppilai Pirabakaran on the 13th of April, 2002 and signed a landmark Memorandum of Understanding (Ibid. 2011: 10).

The Memorandum of Understanding (MoU) promised some reconciliation between the Tamils and the Muslims. But critiques did not suggest any radical improvements in the region. Muslims did not have reasons to lose the confidence in the MoU because the LTTE as promised did not take any practical measures to give back the lands (63,000 acres) they captured from the Muslims of the Eastern Province nor did it take practical measures to eliminate the fears of the Muslims towards the LTTE. On the other hand, Muslim politicians or the SLMC found difficulties to abandon their Pro-Sinhala policies, and thus contributed to the growth of Tamil suspicion towards the Muslims (Aliff, SM. 2012: 261).

Essentially, the death of Mr. Ashraff deeply disturbed the unity of the SLMC. Several factions emerged within the party's ranks. Many believed that Muslim political

representatives had lost the common program to win security and rights for Muslims: they failed to win any legitimate say in the Ceasefire Agreement of 2002 as well as Post-Tsunami Operation Management Structure (PTOMS) of 2005 concerning Tsunami and peace talks. The Muslim political elite's inability to make the right choices and policies to win Muslim interests largely frustrated the Eastern Muslims who had mounted their trust in the moderate democratic Muslim leadership (Ibid. 2012: 262-263).

Muslim youths from the Eastern Province believe that the major purpose of the SLMC is just to formulate policies to win public offices for themselves. There is a tendency in the Eastern Province among the Muslim youths to seek non-democratic alternatives to channel their desires. Such a tendency can be attributed to the theory, which reads the roots of illiberal movements at a point when liberal forces radically fail their constituencies. It is important to mention that breakdown of the Tamil moderate legitimacy among the Tamil masses couple with the Sinhala oppression against the Tamils comfortably opened the way for the Tamil radicalism and violence against the state and its institutions. The same could likely occur in the Muslim polity, if democratic voices of the Muslims just focus on winning perks, position and promotions for their family and members as their Southern Muslim counterparts successfully do since independence (Ibid. 2012: 265).

The key political strategy of the SLMC and other minor (Muslim-oriented) regional parties did not reflect a major shift. Both traditional and northeast political leadership believe that politics of accommodation, strictly speaking, with the Sinhala political class could pay off for their community (Imtiyaz, ARM. 2012). The SLMC was critical of the strategy and branded Muslim politicians as puppets of the UNP and the SLFP. Ironically, the SLMC adopted the same strategy of accommodation and won positions at the cabinet since 1987 and perks for their family and party loyalists. In fact, the SLMC did not adopt any new strategy, in other words, they just reformed the same old political formula with Islamic religious

rhetoric (Ibid. 2012).

In democracy, politicians and parties play major role. People could relate their grievances and problems to them. However, the function of democracy largely depends on votes. Thus, Richard Clutterbuck (1993) defined democracy as the competitive struggle for the people's vote. Politicians often claim they choose politics to serve for masses, but their major aim is often focus on power. In other words, politicians and leaders are "motivated by the desire for power, and income their primary objective is to be elected" (Ibid. 1993: 27). The consequences of this slyness nature likely discourage the masses to keep the trust in the system. When masses lose the trust in democratic channels, you may witness illiberal fill the vacuum and gains sympathies to outdo the political moderates (Ibid. 1993: 29).

The logic of the SLMC politics does not suggest any new shift. The same old policy to win Muslim votes, in order to secure cabinet portfolios and perks. It seems there is a slight tendency among the Eastern Province Muslims to reject such a narrow-minded politics. Failure of democratic voices may trigger more instability and chaos. Muslims of the North and East may experience such a transformation when democratic political representations crash the expectations of the masses (Imtiyaz, ARM. 2012).

Although there are many criticisms about the SLMC and its political changes, it can still win the peoples' heart especially in the North and Eastern Provinces of Sri Lanka and produce certain numbers of parliament members in every election. It is noted that in the last parliament election in 2010, the SLMC won 08 seats out of 225 parliament members. Currently, the SLMC functions as a core political party due to the political alliance with the UPFA, which started in 2011. However, when it comes to the election the SLMC often participate as a separate political party in the North and Eastern Provinces where considerable numbers of Muslims live (38%). For example, in the last Eastern Provincial Council Election

July 15th, 2012, the SLMC contested as a separate political party and won 7 seats out of 34 in this Province. After this election the SLMC signed a Memorandum of Understanding (MoU) with the UPFA government and rented their support for the ruling party in Sri Lanka. As a result the mayor of Eastern Province was appointed from the Muslim ethnic group with the help of SLMC (Ibid. 2012).

4.3. Muslim Politics in the Context of Conflict

Muslims were generally not interested in the armed conflict in Sri Lanka. When the LTTE started fighting against the Sri Lankan government in 1983 the Muslims allied with the Sinhala majority. From the Muslims' point of view the armed conflict did not bring any solutions to their minority rights or political demands. Their only strategy to push their agenda as a smaller minority was a political alliance with the Sinhala majority, like the ones made during the post-independence period (1948-1983). The examples of Razik Fareed and Badiudeen Mahmood encouraged Muslims to stay out of armed violence and search for political benefits through an alliance with the Sinhala majority.

Muslims did not ask for any big share from the Sri Lankan government unlike the LTTE pledges for a separate state (Tamil Eelam). They were generally happy with the concessions that were given to them by the Sinhala majority and aware of their lack of power to organize any militant movement against it. According to Mr. M.H.M. Ashraff, the former leader of SLMC, the Muslims in Sri Lanka should use their political power to demands their rights from the Sri Lankan government instead of taking arms in their hands. It shows that the SLMC leadership understood that the political participation is the only way to get their demands from the Sri Lankan government and the Muslims should be neutral between the warring parties in the conflict (Anees, MS. 2012: 7). Although the Muslims kept a neutral policy between the Sri Lankan government and the LTTE, they were targeted by both parties

to speed up their gains in war. Yet, somehow the Muslims managed to escape from the conflict and remained outsiders to both warring parties until the end of the conflict.

Although some incidents, such as the massacre of Muslims in the Eravur mosque (1990) and the killing of Hajj pilgrimages (1991) in the Eastern Province, motivated some Muslim youths to take up arms and fight against the LTTE, the youths were eventually controlled by some Muslim religious leaders in the Eastern Province of Sri Lanka (Ibid. 2012: 8). The above examples show that whatever challenges came to Muslims they did not take up arms, but they relied on democratic politics.

4.3.1. Political Alliance with the Sinhala Majority during the Armed Conflict

(From 1983 to 2009)

Since the beginning of the armed conflict in the early 1980s, the Sri Lankan Muslims have become more regionally divided and yet also more politically mobilized. The most obvious symptom of this was the founding of the island's first effective Muslim political party (the Sri Lanka Muslim Congress - SLMC) under pressure from East-Coast Muslims seeking protection from Tamil guerrilla (LTTE) violence and extortion. Up until this point, the Muslim leadership was largely drawn from the Colombo and South-Western urban elites, reflecting the political interests of Muslim businessmen and professional stakeholders.

The post-independence strategy of Muslim politicians was to join with the two major Sinhalese ethnic parties that had dominated the government since the 1950s, the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP). Unlike Tamil nationalist spokesmen, who were often portrayed as recalcitrant and uncooperative, some Muslim politicians were willing to join any national party that would have them, and occasionally they would even cross the aisle in parliament when it suited their purposes (Imtiyaz. 2012).

The overall political stance of the Muslim leadership could be described as defensive and pragmatic (Ibid. 2012: 15). They sought to protect Muslim constituents from the threat of dominance of both the Sri Lankan government forces and the LTTE, while they forged political alliances that produced significant political benefits (jobs, housings, schools, infrastructure, rural development and development projects etc.) at the local level. In the case of Muslims in the North and Eastern Provinces they faced various threats from the LTTE during the armed conflict (from 1983 to 2009) in Sri Lanka (Ibid. 2012: 16).

The emergence of the SLMC as a party explicitly promoting the interests of the Muslim community was a major break with the past, and one that had the potential of posing a “Muslim nationalist” threat to the Sinhalese and the Tamils. The founder of the SLMC was the late M. H. M. Ashraff, a politician with a strong voter base in the Muslim stronghold of Kalmunai in the Eastern Province where the LTTE posed a mortal danger to many Muslim farmers and shopkeepers (Ibid. 2012: 17).

Despite some successes as a nation-wide party, since Ashraff's time of the death of in 2000, the SLMC has perennially suffered schisms and opportunistic defections; it has proven nearly impossible to forge a single “Muslim agenda” that could unify a Muslim electorate which was spread so widely across the island, from urban centers to rural hinterlands (Rita Manchanda. 2010: 22).

Although the original manifesto of SLMC pledged a platform based on Islamic principles, this phrasing was primarily intended to convey honesty and incorruptibility rather than to suggest the vision of an Islamic state. In practice, the role of religion in the SLMC has proven to be quite pragmatic and down to earth, as shown in its efforts to cultivate ties with local mosque committees to increase voter mobilization. It is true that during SLMC election campaigns Muslim ritual invocations and prayers tended to intensify its Islamic credentials

the party has opposed certain amendments to Sri Lanka's Muslim personal law to the detriment of women's rights (Ibid. 2010: 23).

The key policy issues for the SLMC was how to guarantee the livelihood and security concerns of Muslim farmers and fishermen in the North-Eastern Provinces (International Crisis Group report. 2007), while safeguarding the needs of Muslims living in close proximity to their Sinhalese majority neighbors in the dense urban areas of the island's south-west. The Muslim urban elites near Colombo typically sought to control the party and to moderate its policies, while the threatened Muslim farmers and activist Muslim students in the East of the tempted to demarcate their own separate Muslim homeland or sub-provincial unit, modeled on the idea of an autonomous Tamil Eelam for the Tamil minority (Ibid. 2007).

Following the ceasefire agreement of 2002, the SLMC tried to secure an official Muslim seat for the party at the ensuing peace talks, and when the Indian Ocean tsunami struck the island in 2004 the SLMC sought to intervene on behalf of the devastated Muslim communities in the Eastern and Southern coasts. In both instances, the Sinhalese and the Tamil ethno-nationalists largely ignored the demands of the Muslims represented by the SLMC leadership (Haneefa, F. 2007: 12).

The above examples show how the SLMC has formed political alliances with the Sinhala majority and supported the Sri Lankan government during the armed conflict (from 1983 to 2009). One of the key findings of this section is that during the armed conflict in Sri Lanka, most of the Muslim political parties including the SLMC mainly supported the Sinhala majority to ensure the minority rights and protect Muslims in the North and Eastern Provinces of Sri Lanka.

4.3.2 Political Alliance with the Sinhala Majority after the Conflict (From 2009 to Present)

The current political regime, the United People's Freedom Alliance (UPFA), is a collision of many small political parties. Three Muslim political parties have formed an alliance with the present government, namely: Sri Lanka Muslim Congress (SLMC), All Ceylon Muslim Congress (ACMC) and National Muslim Congress (NMC). Apart from the above three Muslim political parties, the National Unity Alliance (NUA) which emerged as a separate Muslim political party from the SLMC, joined with the Sri Lankan government in 2010. The decision by the leader of the NUA, Minister Ferial Ashraff to join with the UPFA in February 2010 raises serious questions for the Muslim politics in Sri Lanka and minority politics at large (Haniffa, F. 2011: 6). In fact, it was the first time in the Sri Lankan history that a Muslim political party merged with one of the two national parties in the country. In the past there were some occasions that the Muslim political parties made political alliance with the Sri Lankan government but they never dissolve the party. But in the case of NUA, the party leader (Ferial Ashraff) did not announce a formal disbanding of NUA; the party's fate still remains unclear to many people (Ibid. 2011: 7).

Minority politicians shifting from smaller parties to the major national political parties could be seen as a positive attempt to increase the minority rights. But there are some scholars (Anees, M.S. 2011 & Hasbulla, S.H. 2012) who say that these political shifting from minority to majority politics can also be interpreted as a political strategy from the national party to weaken the minority politics in Sri Lanka. It is noted that right after the NUA dissolved in 2010, the Tamil Makkal Viduthalai Pulikal (TMVP) - Karuna faction which was an anti LTTE Tamil political party in the Eastern Province also dissolved and joined with the UPFA government in April 2010. Moreover, two smaller minority political parties are in the process of dissolving and hoping to join with the UPFA government (Ibid. 2011: 12). It seems

that the minority political parties are gradually dissolving and merging with the UPFA government in the post-conflict period.

A local government election bill (2011) that was put forward by the UPFA government proposed an increase in the cut-off point of electoral system from 5% to 12.5%. According to the 1978 Constitution in Sri Lanka, a political party, which participates in parliament elections, should obtain at least 5% of the total vote in the particular electoral division to produce at least 01 parliament member from the particular political party. But the new suggestion from the present government increased the minimum vote level up to 12.5%. It shows that the present UPFA government is trying to eliminate the minority political party and increase the political stability of the national political party in Sri Lanka (Ibid. 2011: 13).

The local government electoral bill (2011), which was proposed by the UPFA government, was defeated in the parliament debate in March 2012, but the UPFA government is still pushing for such electoral reforms. A two-thirds parliamentary majority for the Government would increase the chances of such a change. The present government (UPFA) obtained 148/225 Parliament Members in Sri Lanka. If the UPFA can acquire 02 more Parliament Members the introduction of a new electoral system will be possible. In such a case the new local government electoral bill will reduce the opportunity for minority and minor political parties to enter the parliament in the future (Ibid. 2011: 13).

The UPFA leadership does realize that encouraging and pressurizing all minority government allies to join the party may prove counter-productive and could result in opposition gains. It is speculated that the Government has pursued a dual strategy. While a number of former MPs who were rejected by the Tamil National Alliance (TNA) have been included into the UPFA election committee list, their party association still remains unclear. In parallel, in the lead up to the elections we have seen a mushrooming of minor political

parties and independents joining the electoral fray. This could be seen as an indicator of the restoration of democracy in the North and Eastern Provinces of Sri Lanka (Haneefa, F. 2012).

Yet, at the same time there are concerns that the large number of competing parties and independent groups are part of the Sri Lanka's government strategy for dividing the opposition and minority vote by confusing the voter. The post-election (2010) scenario is only likely to further muddy the water, as it is possible that people will see a number of newly elected Parliament Members (MPs) from the opposition party crossing over to the Sri Lankan government. As to how this all plays out will depend on the leadership qualities and ultimately the credibility of both the minority politicians and figures in the Sri Lankan government (Ibid. 2012: 11).

The last parliament election in 2010 saw the highest number of members of parliament crossing from one side to another. While some of the individual politicians may have done it for principled reasons, others seem to have done it for the perks of office, which has ended up strengthening the patronage political system. According to Haniffa, F (2012) if Sri Lanka wants to escape communalism it will also need to weaken the "patronage political system"³². Otherwise, the only way governance and development needs can be met is for every sector and area in Sri Lanka to be given a separate member of parliament and a minister. According to this logic area that does not have a Member of Parliament (MP) in Government, let alone a Minister will be marginalized (Ibid. 2012: 13).

The crossover phenomenon has resulted in a further loss of public confidence in the credibility of politicians. Voters tend to choose their candidates on the individual qualities of

³² Patronage is the support, encouragement, privilege, or financial aid that an organization or individual bestows to another. In some countries the term is used to describe political patronage, which is the use of state resources to reward individuals for their electoral support. <http://en.wikipedia.org/wiki/Patronage> (06/10/2013).

the potential M.P and as a representative of the party. Crossing over has also had a knock-on-effect on the political stability of political parties. If the crossover from the opposition intensifies post-general election, Sri Lanka could come to resemble a one-political alliance state. The idea of an all-encompassing alliance may be popular because the current panacea for all of Sri Lanka's problems is 'political stability.' Thus there is a possibility for the next Sri Lankan Parliament to have a multiplicity of political parties and leaders, but the opposition would be weak and unable to act as a safeguard in the country (Ibid. 2012: 14).

It is clear to many minority political parties, politicians and activists that in the post-war context it is increasingly difficult to operate on exclusively communal terms, unlike in the past. Thus, there is a pragmatic reason for being pluralistic. Beyond that, if any of these parties really do want to commit themselves to creating a lasting peace they will have to create a working relationship with other minority parties, progressive minor parties and the major national parties. This would require a strategic re-thinking within minority parties on issues of common concern, regional minorities and the concerns of marginalized groups within the Sinhala community (Anees, MS. 2011).

In general, the political move in the post conflict period is somehow different from the previous times in Sri Lanka. It seems that many political changes are taking place inside the Sri Lankan government and other political parties. It is noted that some smaller political parties merged with the Sri Lankan government. Although it brings some confusion to the politics, it seems that smaller political parties make a move towards the majority political party in Sri Lanka (Ibid. 2011: 3). Merging with majority party is not a problem, but the question is to what extent the majority party can ensure the rights of minority and protects them from violence against their minority rights. In fact, it is very important to have some Memorandum of Understanding (MoU) between the majority and minority parties in which the minority rights are guaranteed from both sides.

4.4. The Role of Muslim Political Parties over the Muslim IDPs

It has been 23 years since the Northern Muslims were forcibly evacuated from the LTTE and became IDPs in the Puttalam district of Sri Lanka. Still many of them (40,000) continue to live as IDPs in many IDP camps. If one looks at the role of Muslim political parties over the Muslim IDPs, there are numbers of issues, which hinder the Muslim political parties for not urging the repatriation of Muslim IDPs in the Puttalam district. The following subtitles will explore some of those issues (UNHCR report. 2012).

Diversity of Muslim political parties

As it is noted earlier at section 4.2.1 that there are three Muslim political parties in the present government. Each Muslim political party has its own political agenda (mission). From their point of view, the Muslim IDPs in the Puttalam district is not a core priority for any of them. They have many other topics to prioritize for the sake of political party and supporters. It seems that the diversity of Muslim political parties and the lack of interest on Muslim IDP issues reduced the chances to address the Muslim IDP issues in Sri Lanka (Anees, MS. 2011).

Regional politics

Each Muslim political party has a certain area where they run to get elected into the Parliament. For example, the SLMC mainly participated in the election in the Eastern province where most of the Muslim Parliament Members get elected from. On the other hand the APMC mainly participated in the election from the Northern Province where it has more political supporters and produces more Parliament Members when compared to other political parties in this region. Meantime, the NMC mainly participated in the election in the South-Eastern Province of Sri Lanka where it has more political supporters than other

political parties. The regional influence of each Muslim political party shows that the Muslim political parties are so regionalized in terms of political supporters (Ibid. 2011: 4-5).

Lack of Political Power

The present government (UPFA) has two-thirds majority with nearly 150 parliament members out of 225. In this government there were some minority political parties that have formed political alliances functioning as core political parties. In this respect the Muslim political parties have only 13 parliament members from all three Muslim Political parties (SLMC, APMC & NMC). Their political power in the present government is very restricted. The Muslim political parties cannot demand much from the present government. Even if all Muslim Parliament Members withdraw their support to the UPFA government it would not affect its presence (Ibid. 2011: 6). Moreover, there are some other political parties which have some anti Muslim principles do not allow the Sri Lankan government to support for the resettlement of Muslim IDPs in Sri Lanka.

Lack of interest on Muslim IDPs

In fact, the Sri Lankan Muslim political parties are not so interested in Muslim IDPs except for a few Muslim parliament members such as Minister Rishad Badiudeen and Kunais Farook who want to repatriate them to the Northern Province or provide an alternative solution (durable solutions) to end their long term internal displacement. Moreover, the Sri Lankan government itself is not interested in Muslim IDP issues. From the Sri Lankan government's point of view, the repatriation of Muslim IDPs in the North is not so urgent when compared to Tamil IDPs (Ibid. 2011: 7).

Lack of foreign assistance

It is noted that the international organizations are not so interested in providing any

alternative solutions to Muslim IDPs. From their point of view the Muslim IDPs who live in Puttalam for the past 23 years are somehow adapted to this IDP camp life so the priority should be given to the Tamil IDPs who were more recently (2009) displaced from their homes and live in IDP camps. The above issues show the limitation of Muslim political parties to mainstream the Muslim IDP issues in the agendas of the Sri Lankan government, or the international organizations (Ibid. 2011: 8).

4.4.1. Resettlement of Muslim IDPs

The resettlement issue of the Northern Muslims evicted in 1990 still remains unresolved. Many factors were attributed for the present status – hate, desire for the establishment mono ethnic society, landlessness and already Tamil IDPs are resettled in places belonged to Muslims. The issue of finding durable solution to Muslim Internally Displaced Persons (IDPs) who were evicted from North in October 1990 by the Liberation Tigers of Tamil Eelam (LTTE), so far “remains one of the key post conflict challenges, which also has a significant impact on the process of reconciliation.

This section aims to focus on the resettlement of Muslim IDPs and the role of Sri Lankan government. The Sri Lankan President Mahinda Rajapaksa made the following statement “My Government will not let down the innocent Muslim civilians in the Northern Province who lost all their belongings at the hands of the LTTE 20 years ago. We will ensure that innocent Muslim civilians who had to leave their original places in the Northern Province due to LTTE threats will be resettled in their own properties. Their houses, schools and business establishments will be rebuilt with all necessary infrastructure facilities” (All Ceylon Muslim Congress-ACMC: Northern Convention on December 31st, 2009 at Alankuda, Kalpitiya – Puttalam district).

Although the speech marked the first time that a senior functionary has made a

categorical statement on evicted Muslims, the president failed to recognize the return of the Muslims as one of the priorities in his rapid, post-LTTE nation-building process. Instead, he wanted them to wait until the conclusion of repatriation of all Tamil IDPs. This continued second-class treatment is the reason why Northern Muslims have a general lack of confidence in the government, including the former Cabinet Minister of Resettlement and Disaster Relief Services (Rishad Badiudeen), who is originally from the Northern Province.

In 2009, right after the conflict end in Sri Lanka many Muslim IDPs from the Puttalam district began to return to their homes in the Northern Province. But they were stopped by the Minister Rishad Badiudeen and asked them who were trying to return to the Northern Province not to rush, but rather to wait until the government come up with a suitable resettlement program for Muslim IDPs (Interview with Muslim IDPs in the Puttalam district. March 10th, 2010). But now, even though there is no impediment to their return, the government has imposed restrictions on Muslim returnees to certain parts of Musali division in Mannar district (Northern Province), quoting security reasons while at the same time going ahead with plans to move Sinhalese from the border villages of Mannar. The government has also already allowed Sinhala fishermen access to the Musali coastline in Mannar district (Interview with Muslim IDPs in Mannar district. March 14th, 2010).

There has by now been an intense politicization of Northern Muslims' right to return. In December 2009, Jamal Bawatneh, a former minister of Muslim affairs of Palestine, made an appeal to the Sri Lankan Muslims and others who supported the Palestinian struggle to participate in a fundraising. This pledge has been a regular practice of Mahinada Rajapakse's government, to send Minister Rishad Badiudeen on fundraising trips to West Asian countries, during which the plight of the Northern Muslims under the LTTE has been regularly highlighted (Haniffa, F. 2010).

Sarvodaya, a local NGO in Sri Lanka, estimates that there are about 60,000 expelled Muslims in Puttalam, 75 percent of who want to return to the Northern Province. While about 25 percent of these have now established themselves within the host community (and these certainly have to be given the choice of staying where they are), this should not be used to deny or postpone the returning rights of tens of thousands of other Muslims. Rather, it is imperative to recognize the urgency of the Northern Muslims' right to return in parallel with that of the displaced Tamils, in order to avoid any further suspicion and distrust growing between these two communities (Sarvodaya Report. 2009).

Muslims who have returned to Mannar in 2009 have been faced with certain alterations to village boundaries, causing them to lose their community rights to land. When government officers alter the boundaries of villages, they take away public lands – allocated to build public schools, burial grounds, and places of worship etc. As such, if Muslims are only allowed to return at a later date (or after the establishment of the Tamil IDP villages), they fear that the public lands traditionally available for Muslims will be lost. Tensions have also risen among returned Jaffna Muslims who have come back to inherit the unsettled utility bills of other displaced, who had occupied their houses during the war (Anees, MS. 2010: 4)

There have also been more-nebulous losses. Muslims who visited Mantha-West (North of the Mannar mainland) were disappointed to see that the Muslim character of the villages from which they were expelled had been erased by the LTTE. Burial grounds and mosques have been completely demolished, and LTTE bunkers and bases have been constructed by converting mosques, schools and individual Muslim homes (Interview with Muslim IDPs in Mannar district in March 15th, 2010). Many land permits have also been re-issued by the LTTE-run judicial system and, so far, there has been no government support to reclaim these lands. In the meantime, widespread allegations of financial corruption by those associated with Minister Rishad Badiudeen and his close associations with the government are seen by

many Tamils as proof of biases against them. This has added fuel to the brewing Muslim-Tamil tensions in the Northern Province (Ibid. 2010).

As things stand, Muslims are returning to the Northern Province without expecting much from anyone, simply in the hope of restarting their lives from scratch and co-existing once again with their Tamil brothers and sisters. When the presidential campaign heated up in 2010, the Muslim political leadership, as usual, placed the Northern Muslims' right to return on their agenda in the hopes of political gain. SLMC leader Rauff Hakeem unconditionally supported the opposition candidate Sarath Fonseka, while Rishad Badiudeen is a strong supporter of President Mahinda Rajapakse. But none has yet stressed the importance of this community's (Muslim IDPs) right to return in parallel with the other displaced communities in Sri Lanka (Anees, MS. 2010: 7).

For their part, the Northern Muslims who have returned have advanced few demands, apart from modest ones for equal treatment, access to their lands, basic livelihood activities and swift clearance of landmines. It should be noted that those Muslims that have decided to return have given up their IDP registration in Puttalam, which automatically terminates their entitlement for a monthly food subsidy (Dry food ration). Their willingness to give up many years of living in one, by-now familiar, place clearly shows their desperation to get back and stand on their feet after two decades of humiliation and dependent living. It is also imperative to recognize that evicted Muslims have the right to reclaim their properties and livelihood opportunities in their native places, irrespective of whether their families choose to continue to live elsewhere (Anees, MS. 2010: 7).

The above explanations show that there are many difficulties on the resettlement of Muslim IDPs in the Northern Province of Sri Lanka. It seems that the Sri Lankan government does not have any proper plan to resettle the Muslim IDPs to their hometown. Moreover the

Sri Lankan government also puts some barriers to the voluntary repatriation of Muslim IDPs citing security as a major concern to them (Ibid. 2011: 8). From the Muslim IDPs' point of view the Sri Lankan government often pays less attention towards the resettlement of Muslim IDPs when compared to the Tamil IDPs in the Northern Province of Sri Lanka (Ibid. 2010).

Although, there are many negatives about the resettlement of Muslim IDPs in the Northern Province, one must understand the fact that the Muslim political alliance with the UPFA government cannot do much for the Muslim IDPs where they have limited power in the parliament. While urging the Sri Lankan government for the resettlement of Muslim IDPs, the Muslim political parties also should look for some financial assistance from the Muslim countries where in some cases Kuwait, Saudi Arabia, Qatar, and Iran helped to build houses and infrastructure for the Muslim IDPs in the Puttalam district of Sri Lanka (Ibid. 2010: 8-9).

4.4.2. Development Assistance for Muslim IDPs

This section explains the development assistance by the Sri Lankan government to the IDPs in the post conflict period (after 2009) in Sri Lanka. In fact the author has conducted a fieldwork research in March 2011 & 2012 both in the North and Eastern Provinces. The main purpose of this fieldwork research was to find out the resettlement of Muslim IDPs and the development assistance by the Sri Lankan government. One of the key findings of this fieldwork research was that the ongoing development projects are highly politicized and corrupted. The following paragraphs will explain them in detail.

Development is as priority for the government of Sri Lanka in the post-conflict period. Development in the North and East is taking place under two main schemes: in the North 'Vadakkini Vasantham' (Northern Spring), in the East 'Kilakkin Uthayam' (Eastern Awakening). Large-scale development projects can be seen across the North and Eastern Provinces, particularly the building of roads and bridges. Most Tamils and Muslim IDPs in

the Eastern Province interviewed in these areas are impressed with the scale of the development and see potential benefits for themselves and their communities. However, some individuals and NGO activists have pointed out the lack of consultation and participation of local people in the projects (Interview with a group of IDPs in Batticalo, March 12th, 2011).

The Vadakkin Vasantham program was announced by President Mahinda Rajapaksa and plans were drafted by his brother and senior adviser Basil Rajapaksa. Interviewees in the North and Eastern Provinces summarized that these plans were prepared without consulting local-level officials or people living in these areas (Interview with a group of IDPs in Batticalo District in the Eastern Province on March 12th, 2011). Some NGO workers who have visited to the villages in the newly resettled areas in the Northern Province say that while major highways are being built in the Northern Province, nothing is being done to develop the small roads in the villages. As a result, villagers have to travel long distances, sometimes on foot, in difficult conditions to access their basic facilities. Little is being done to develop village markets while plans are under way to create commercial hubs (Interview with an IDP in Vavuniya District on March 15th, 2011).

Regarding the implementation of development projects, in 2009 President Mahinda Rajapaksa appointed a task force for Northern development. There was only one Tamil and one Muslim out of the 19 members implementing development in an area where more than 90 per cent of the populations are from minority groups (Tamils & Muslims). In the resettlement areas in Vanni (Northern Province), everything is controlled by the President Task Force (PTF). Large-scale development projects are planned and implemented under the purview of Basil Rajapaksa, who is also the Minister for Economic Development, and the Urban Development Authority (Interview with a NGO worker in Vavuniya on March, 2011).

The Defense Secretary Gotabhaya Rajapaksa (younger brother of President Mahinda

Rajapaksa) and the Parliament Member Namal Rajapaksa (son of President Mahinda Rajapaksa) are also involved in development projects in the North (Ibid. 2011). It shows that the development projects are highly politicized and controlled by the elite in power. One IDP pointed out that “development is happening. But the needs of the people in resettled areas have not been met. People are not consulted. Issues seem to be identified and decided by the people in power (mostly political) and do not attempt to hear the voices of the IDP people (Interview with an IDP in Vavuniya on March 17th, 2011).

Central government influence in rural development is not common in Sri Lanka, but here the situation is different. Regarding the development projects both in the North and Eastern Provinces, the government involvement is at the highest level. The development projects are planned and implemented mostly by leaders from the majority community in a largely minority area. Many civil society activists and NGO workers in the North and East interviewed for this research expressed their frustration, saying that they felt powerless to challenge any projects because of the close involvement of the President, his advisers and the military, in the planning and implementation (Interview with a NGO worker in Vavuniya District on March 18th, 2011).

Some Tamil and Muslim political leaders are seen to play an active role in the North and Eastern Provinces. They include: Douglas Devananda, leader of the Eelam People’s Democratic Party (EPDP) Rishad Badiudeen, leader of All Ceylon Muslim Congress (ACMC) and Vinayagamoorthy Muralitharan, former leader of Tamil Makkal Viduthalai Pulikal (TMVP). However, those interviewed during the fieldwork stated that the minority politicians were mostly involved in the publicity element of the projects, and not in the planning (Interview with a group of IDPs in Vavuniya District on March 19th, 2011).

The above explanations about the development assistance show that the major

developments in the North and Eastern Provinces are increasing the infrastructure and development work. However, the question is to what extent all these development projects have increased the rural developments and reached to the IDPs. It is noted that the development projects increased more the urban than the rural developments (Ibid. 2011).

If you look at the development projects from the Muslim IDPs' point of view, the development projects in the Eastern Province (Kilakin Uthayam – Eastern Awakening) somehow benefited to the Muslims in the Eastern Provinces. However, the development projects in the Northern Province (Vadakin Vasantham – Northern Spring) could not bring much benefit to the Muslim IDPs, because still a large number of Muslim IDPs (40,000) live in the North-Western Province (Puttalam district) of Sri Lanka. Unless the Sri Lankan government focuses on the resettlement of Muslim IDPs, these major development projects do not bring any benefits to the Muslim IDPs in Sri Lanka.

4.5. Conclusion

The overall conclusion of this chapter is that the Muslims in Sri Lanka often form political alliances with the Sinhala majority for the sake of their minority rights and existence. Yet, the question is to what extent the Muslims have achieved political benefits via their political alliance in Sri Lanka. One of the key findings of this chapter is that the Muslim political alliance with the Sinhala majority has brought more political benefits than the political alliance with the Tamil larger minority. Moreover, this chapter also concludes that the Muslim political elites from 1948 to 1983 gained more political benefits when compared to the Muslim political parties from 1983 to the present. It is noted that the Muslim political elites in the post-independence period was very much loyal to their political party and leaders, so that they could gain more political benefits to the Muslims. However, the Muslim politics from 1983 to the present is very much diverse and unreliable (not loyal to the ruling party) as

a result the Muslim political parties cannot demand much from the Sinhala majority government. Apart from this, it is also noted that the present government, particularly in the post conflict era is not focusing on the issues of resettlement and the development of Muslim IDPs. In fact, the Sri Lankan government is focusing more on the repatriation of Tamil IDPs than the Muslim IDPs. The following chapter will focus on the protection of IDPs and the limitation of domestic and international assistance to the Muslim IDPs in Sri Lanka.

CHAPTER – 5: CHALLENGES OF THE PROTECTION OF IDPs: LIMITATION OF DOMESTIC AND INTERNATIONAL ASSISTANCE

5.1. Introduction

This chapter seeks to explore the challenges of protection of IDPs and the limitations of domestic and international assistance for its undertaking in Sri Lanka. It discusses the government and international donors' role for protecting IDPs, and analyzes the extent to which the smaller minority group (Muslim IDPs) has been protected so far. Regarding the Government's role, the Sri Lankan government has acknowledged the prime responsibility to protect IDPs, focusing on both legal protection and national policy planning. As for the international assistance, there are numbers of international organizations and donor countries that provided financial assistance to the IDPs. By reviewing the extent to which both the Sri Lankan Government and major international organizations have helped to resettle IDPs in Sri Lanka, this chapter aims to highlight the shortcomings of the protection of the smaller minority (Muslim IDPs) in Sri Lanka.

5.2. Governments' Roles of Protecting IDPs

The primary role of protection of IDPs is generally played by their respective government (Mario Gomez. 2002: 13). In the case of Sri Lanka, the government is one of the most significant actors in the mentioned responsibility and has established a number of legal provisions and authorized some development projects for the benefit of the IDPs in the country. The Sri Lankan government has accepted the full responsibility to protect the IDPs and finding a durable solution for them. It committed to intensify its efforts to protect this group from vulnerability. And, as mentioned in the 2008 IDP-Bill, it has planned to ensure their safe return, enhance their security, and lastly focus on their repatriation (IDP – Bill. 2008: 2).

Regarding the safe return and security issues, the Sri Lankan government launched a National Framework for Relief, Rehabilitation and Reconciliation Program (NFRRRP). The aim of this program is to address the issues of IDPs and ensure their security and basic needs such as food, shelter, education, and health care services. Apart from this, the Sri Lankan government has introduced a system called Donor Alert and Quick Impact Project (DAQIP) and encouraged many international organizations and donors to increase their financial assistance towards IDPs (Mario Gomez. 2002: 13). The following section will explain the national policy of IDPs in Sri Lanka.

5.2.1. National Policy for IDPs

The IDP-Bill (2008) is the only national policy document used by the Sri Lankan government for IDP issues. It was published in March 2008 with the assistance from the Human Rights Commission (HRC) of Sri Lanka. The IDP-Bill has 12 sections and 43 sub divisions. Each section explores the issues of IDPs and suggests policies and development plans targeting their (IDPs) welfare services. Following paragraphs will explore the IDP-Bill and discuss some of its limitations / shortcomings at the implementation level.

The first section of the IDP-Bill explores the establishment of a national authority, provisions to ensure IDPs' protection and suggests national policy particularly directed to IDP issues. According to this IDP-Bill (2008), the Sri Lankan government should establish a separate national authority for IDPs. This authority would be in charge of formulating the policies, implementing them and coordinating the resettlement, repatriation and relocation of IDPs. While this was suggested in 2008, in practice such national authority for IDPs has not yet been established by the Sri Lankan government. Instead, the policy planning and implementation of resettlements are currently controlled by the Cabinet Ministry (Ministry of Resettlement and Disaster Relief Services) with no cooperation with any local authorities.

The second section of the IDP-Bill focuses on the establishment of an Ombudsman (Parliamentary Commissioner) for IDPs. According to the IDP-Bill, the authority should have a separate office for an Ombudsman who shall hear and determine all complaints, applications and references made with regard to any relief and humanitarian assistance made by any person or group of persons in relation to the IDPs (Ibid. 2008: 12). In Sri Lanka the Ombudsman figure is considered as a symbol of parliament and is generally in charge of a parliamentary committee. The Ombudsman does not have any direct connection with outsiders. This means that if someone wants to meet the Ombudsman he / she should go through a Member of Parliament first. Due to the procedural constraints it is nearly impossible to make an appeal or file a case against an officer or authority. In this respect, what the ombudsman can do for IDP is very limited in Sri Lanka (Ibid. 2008: 12).

The third section of the IDP-Bill focuses on the issues of protection from arbitrary eviction and protection for persons under the risk of displacement. The authority for IDPs may identify the areas with risk of displacement and may take necessary action to prevent force displacement and provide relief and humanitarian assistance maintain the safety of people involved. The authority and international actors shall respect and ensure respect of their obligations under international human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to forceful displacement (Ibid. 2008: 12-13). In Sri Lanka, when thousands of Muslims (65,000) were forcibly evicted by the LTTE (1990) in the Northern Province both the Sri Lankan government and international community could not do anything about it. From that perspective it remains a question how a national authority which has less power than the Sri Lankan government can protect the IDPs and provide humanitarian assistance for all (Ibid. 2008: 13).

The fourth section of the IDP-Bill explores the issues pertaining to the protection of IDPs. In the IDP-Bill, it is mentioned that the IDPs who have returned to their places of

habitual residence or who have relocated in another part of the country or who integrated locally at the site of displacement shall not be discriminated as a result of their displacement. They shall have the right to participate fully and equally in public affairs, at all levels and have equal access to public services (Ibid. 2008: 4-6). In terms of legal status, IDPs are equal with other citizens in Sri Lanka. But to what extent these IDPs are treated in the same way with the local people remains questionable. In the Puttalam district, many Muslim IDPs have problems with local residents over political, economic and natural resources management issues. Moreover the IDPs have some problems to participate in the public affairs in equal conditions than the local residents. From the local people's point of view these Muslim IDPs are newcomers and a threat to their resources and rights (Interview with local people in Puttalam. March 25th, 2010).

Fifth section of the IDP-Bill focuses on the issues of protection concerning the persons with special needs such as children, expectant mothers, mothers with infant / children, single heads of household, persons with disabilities and elderly persons. The persons with special needs shall be provided special protection and assistance required by their condition and treatment that takes into account their special needs (Ibid. 2008: 6-7). According to the UNHCR report (2009), 65% of IDPs were women and children and accounted for the most vulnerable group among the IDPs. Regardless of their highlighted vulnerabilities, the special needs for the protection of women and children IDPs were rarely considered (Ibid. 2008: 7).

Sixth section of the IDP-Bill focuses on the issues of rehabilitation, restoration, compensation and resettlement of IDPs. It states that every IDP who had lost their valuables / properties during the process of internal displacement or conflict is eligible to receive compensation from the Sri Lankan government. As for this purpose, the Sri Lankan government has established a new institution called the Rehabilitation of Persons, Properties and Industries Authority (RPPIA) in 2005 to provide compensation for IDPs (Ibid. 2008:7).

RPPIA pays compensations only for the government officers but not for the ordinary IDPs. It has been seven years since the RPPIA was established but still none of the ordinary IDPs received any compensation from it. From the RPPIA's point of view only the government officers are eligible to receive compensation from it at the moment. There is no instruction about the provisions of compensations for the ordinary IDPs (Ibid. 2008: 7).

Seventh to twelfth sections of IDP-Bill explain the issues of possession of moveable and immovable properties and possession of land affected due to the internal displacement. According to the IDP-Bill (2008), the IDPs who left their valuables (moveable and immovable) in their previous home are eligible to get their personal belongings back and entitle to live in their previous home without any preconditions (Ibid. 2008: 8). Muslim IDPs have lost Rs. 9,410 million at the hands of LTTE during the armed conflict in Sri Lanka (Hasbulla, SH. 2005: 4-6). Still there is no compensation either from the Sri Lankan government or from the international community. Moreover, many Muslim IDPs have problems to get access to their previous home and land particularly in the Northern Province of Sri Lanka.

Although the IDP-Bill (2008) provides many plans and suggestions to the IDPs, still it needs to undergo a number of changes to become useful and applicable for the protection of the victims of displacement. The Sri Lankan government believes that the IDP-Bill is necessary for the protection of IDPs, but it has not taken any initiatives to change or implement the provisions of the IDP-Bills in the country.

5.2.2. Legal Protection of IDPs

Legal protection of IDPs can be divided in two kinds: legal protection of IDPs at the international level and the legal protection at the domestic level. At the international level there are three laws that focus on armed conflict, protection of IDPs and refugees: the international humanitarian law, the human rights law and refugee law. International

humanitarian law is concerned with armed conflict and the responsibilities of all parties involved. Its goal is to limit the effects of war on people and their property and to protect the particularly vulnerable persons. International humanitarian law expressly prohibits compelling civilians to leave their places of residence unless their security or imperative military reasons so demand. Refugee law is the branch of international law that deals with the rights and protection of refugees (Mashood A. Baderin and Manisuli Senyonjo. 2010: 16).

The international human rights law refers to the body of international law that is designed to promote and protect human rights at the international, regional and domestic levels. As a form of international law, it is primarily made up of treaties, agreements between states intended to have binding legal effect between the parties that have agreed to them; and customary international law, rules of law derived from the consistent conduct of states acting out of the belief that the law required them to act that way (Ibid. 2010: 17). International human rights law prohibits the human rights violations where people suffer from the armed conflict while the refugee law protects the rights of refugees (Ibid. 2010: 18).

Enforcement of international human rights law can occur either at domestic or regional or international level (Ibid. 2010: 20). States that approve human rights treaties commit themselves to respect those rights and ensure their domestic law is compatible with international legislation. When domestic law fails to provide a remedy for human rights abuses parties may be able to resort to regional or international mechanisms for enforcing human rights (Ibid. 2010: 23-24).

Regrettably, humanitarian law failed to fulfill its aim in the case of the Muslim IDPs' in Sri Lanka. The law that is supposed to protect people from forcible displacement could not do anything for the Muslim IDPs when they were evicted against their will by the LTTE in 1990. Moreover, it did not issue any statement against this forcible displacement. This facts

show that the humanitarian law was not effective to the Northern Muslim IDPs in Sri Lanka.

For Tamils the human rights law, that is supposed to protect people from the human rights violations, helped them to address some of their problems. In 2009, right after the conflict ended in Sri Lanka, the Tamil Diasporas in Europe filed a case against the Sri Lankan government at the International Court of Criminal Justice (ICCJ) and urged the member countries to support their claim. As a result in 2011, the Geneva Conference concluded that the Sri Lankan government should address all human rights violations and war crimes it committed, particularly in the last phase of armed conflict, from 2006 to 2009 (Geneva Resolution report. 2012). Regarding the refugee law, it has protected many Tamils in the Europe during their process of Asylums. However, it could not do anything for the internal refugees / IDPs within the country / Sri Lanka.

The above examples show that humanitarian law, human rights law and refugees' law are in theory designed to protect both IDPs and refugees. But their success to accomplish that goal depends on how each ethnic group utilizes them to address their issues and ensure their protection issues. Muslim IDPs were not able to effectively utilize the international humanitarian law or refugees law³³. But on the case of the Tamils, human rights law served them as a tool to receive protection against the human rights violations inflicted to them by the Sri Lankan government. Followings paragraphs will explain the legal protection of IDPs at the domestic level in Sri Lanka.

The Sri Lanka's IDPs are citizens with the same obligations, rights, duties, and domestic legal protection than those who have not been displaced during the conflict (Mario Gomez. 2002). The existing legal provisions or parliamentary acts to address their needs are

³³ In fact, there are not so many scholars (Muslims) in abroad who can address the plight of Muslim IDPs and seek protection from the International Court of Criminal Justice (ICCJ).

scattered, which makes their application highly unsystematic to address their critical concerns. Currently, there is no comprehensive legislation in Sri Lanka to address the special needs of IDPs in a comprehensive manner (Ibid. 2002: 13).

The rights of IDPs are partially secured by eight existing common national laws: Rehabilitation of Persons, Properties and Industries Authority Act, No. 29 of 1987, Welfare Benefits Act, No. 24 of 2002, Mediation Act, No. 21 of 2003, the Sri Lanka Disaster Management Act, No. 13 of 2005, the Tsunami Special Provision Act, No. 16 of 2005, Registration of Deaths Temporary Provision Act, No. 17 of 2005, the Geneva Conventions Act, No. 04 of 2006, and the Resettlement Authority Act, No. 09 of 2007 (Parliament Hansard Report in Sri Lanka. 2010).

The first act relevant to IDP was the Rehabilitation of Persons, Properties and Industries Authority Act, No. 29 of 1987. The purpose of this act was to assist an owner of any affected property to repair and restore such property. The Sri Lankan government upholds the responsibility of creating an authority to assist in the repair, restoration, or rehabilitation of persons, properties or industries. It was reported that 70,000 houses were destroyed, 63,000 acres of paddy lands were concurred by the LTTE and many other moveable and immoveable things were abandoned during the conflict in Sri Lanka (Hasbulla, S.H. 2012: 6).

The second act that was relevant to IDPs was the Welfare Benefits Act, No. 24 of 2002 which states that the Sri Lankan government would provide the necessary legal framework for the payment of welfare relief benefits and formulates the guidelines for a transparent selection process for welfare recipients. Through this act, all IDPs (Sinhala, Tamil and Muslims) were eligible to receive welfare services and benefits from the Sri Lanka government (Parliament Hansard Report. 2010). It is worth mentioning that the Sri Lankan government and the World Food Program (WFP) have been providing welfare services to the

IDPs in the past two decades in Sri Lanka

The third act that was relevant to IDPs was the Mediation Act, No. 21 of 2003. The purpose of this act was to establish an authority that was responsible to mediate various problems among various ethnic groups (Sinhala, Tamil and Muslim IDPs) in Sri Lanka. The influx of IDPs during the conflict (from 1983 to 2009) required extra judicial services to mediate problems among the IDPs. As the present existing legal system in the country was not enough to assist all their legal related problems, the Sri Lankan government established a separate legal mediation authority for the IDPs (Ibid. 2010: 8).

The fourth act relevant to IDPs was the Sri Lanka Disaster Management Act, No. 13 of 2005. The purpose of this act was to provide emergency relief services to both conflict-induced IDPs and the natural-induced IDPs. In the early 2000s, Sri Lanka faced a number of natural calamities including the Indian Ocean Tsunami (2004). As a result the Sri Lankan government established a separate Cabinet Ministry called as Ministry of Disaster Management (2005) in charge of dealing with the natural calamities and provide services to those affected people (Ibid. 2010: 9-10).

The fifth act relevant to IDPs was the Tsunami Special Provision Act, No. 16 of 2005. The purpose of this act was to provide emergency relief services to the tsunami-affected people in Sri Lanka. This act was introduced in order to help victims of this natural disaster and with the aim to rebuild the affected areas in the country. Under this act the Ministry of Disaster Management was established in 2005 (Ibid. 2010: 11).

The sixth act relevant to IDPs was the Registration of Deaths Temporary Provision Act, No. 17 of 2005. The purpose of this act was to provide document services to the people who lost their lives and belongings during the tsunami (Ibid. 2010: 12). The tsunami tidal waves which hit the Sri Lanka's coastal sides in 2004 have killed 35,000 people and left over

40,000 people to become IDPs within the country (Hasbulla, SH. 2012). These tsunami affected IDPs needed immediate relief assistance from the Sri Lankan government and international organizations (Parliament Hansard Report. 2010: 12).

The seventh act relevant to IDPs was the Geneva Conventions Act, No. 04 of 2006. The purpose of this act was to establish a Human Rights Commission (HRC) in Sri Lanka and deal with the war crimes and human rights violations. It was noted that from 2006 to 2011, the HRC has received more than 11,000 complaints from the IDPs. Most of these complaints were about the human rights violations and abuses against the women and children. According to the HRC chairman, about 80% of the complaints that the HRC received were about women and children in the Puttalam district (Human Rights Commission report on IDPs. 2011).

The eighth and final act relevant to IDPs was the Resettlement Authority Act, No. 09 of 2007. The purpose of this act was to establish a Resettlement authority to speed up the resettlement program both in the North and Eastern Provinces of Sri Lanka. It was reported that the Resettlement authority was functioning as a core part for the Ministry of Resettlement and Disaster Relief services and mainly focuses on the Resettlement and relief services to the IDPs in Sri Lanka (Parliament Hansard Report. 2010: 12).

Although at first glance these legal entitlements seem to provide protection for IDPs by covering all phases in which they are affected, a closer analysis shows that their lack of cohesiveness and inefficiency hinder their ability to solve the problems faced by the IDPs. In fact, there is a gap between the legal provisions and practical problems of IDPs. Every legal provision has some limitations at the implementation level. For example, the RPPIA Act, No. 29 of 1987, was drafted with no separate provision for IDPs. This made its target population too broad to assist properly. Moreover, this act does not provide enough compensation to the

IDPs who lost their lives and properties during the conflict, and has been reported to only assist government officers while the rest of IDP are often excluded. Like this provision, all others seem to have some limitations and prioritize only a certain group within the IDPs (Parliament Hansard Report. 2010: 12).

To reinforce the protection of IDPs, the Sri Lankan government must incorporate within the national legal framework legislation that makes forced displacement of persons a liable crime punishable with severe sentences. Criminalizing the act of forced displacement will set a precedent for justice that will lead the present and future actors in the conflict to strive for the rehabilitation of IDPs and the reconciliation of the parts. Sri Lanka's recurring problems with respect to internal displacement and IDPs can be alleviated temporarily and solved gradually if a binding national legal framework for IDPs is decreed. For the framework to be effective in creating the sustainable conditions that lead to durable solutions (Andres Angel. 2008: (18-19).

Followings are some suggestions from the Legal experts in Sri Lanka: (1) Establishes the goal of preventing displacement and seeks to do so by anticipating the risks that may generate displacement, (2) Defines, determines, and clearly stipulates the state's responsibility towards internal displacement, ensuring that the rights of IDPs be enacted and protected under the law, (3) Establishes the right of humanitarian attention procuring guarantees to ensure protection and assistance needs of health, shelter, food, transportation, etc., (4) Provides the legal guarantees to IDPs to access humanitarian aid, projects, and programs, and offering the necessary mechanisms that allow IDPs to develop the mediums necessary for their sustainable subsistence, (5) establishes the objectives, parameters, and basic scheme of a national policy for the fundamental protection of IDPs, (6) Creates a national system exclusively concerned with IDPs, through a separate Authority or Ministry accountable for implementing policies, projects, and programs for IDPs, (7) Establishes the

right to voluntary return while delineating the role of Sri Lankan government's primary responsibility of providing post-displacement protection and aiding development upon resettlement (Ibid. 2008: 19-20).

5.2.3. Development Projects for IDPs

This section will explore the two National Development Projects, Vadakkin Vasantham (Northern Spring) and Kilakkin Uthayam (Eastern Awakening) started in July 2009 by the Sri Lankan government with the aim to improve the living condition of war-affected people in the North and Eastern Provinces of Sri Lanka

Vadakkin Vasantham (Northern Spring)

Following the defeat of LTTE in May 2009, the Sri Lankan government initiated the Vadakkin Vasantham (Northern Spring), a mega development drive, affecting the five districts of the Northern Province - Jaffna, Kilinochchi, Mullativu, Vavuniya and Mannar. The project had the goal to help the mentioned districts achieve the "same level of development"³⁴ than other areas in the country through infrastructure, agricultural & fisheries development, housing, livelihood promotion, irrigation development and educational facilities projects (Vadakkin Vasantham Report. 2011: 2-3).

The fund allocation for these projects for the year 2011 was Rs.38, 683.09 million. Under the development of the road network program, the construction of the Paranthan-Pooneryn highway has been completed, work on the Kandy-Jaffna (A-9 highway) is in progress, construction of the A-32 Navarkuly-Kerathivu road has begun, construction of

³⁴ According to the former World Bank Country Director in Sri Lanka (2009), the country has lost its economic development due to the long term conflict. If I compare the economic development of Sri Lanka with Europe, Sri Lanka is 50 years behind them. If I compare the situation of the North and Eastern Provinces it goes further (Interview with Naoko Isshi the former World Bank Country Director - March 12th, 2009).

Vavuniya–Mannar road has begun, and most of the internal roads in villages have either been newly constructed or renovated (Ibid. 2011: 4-6).

The construction of the bridge to link Sangupiddy and Kerativu is a boon to the local residents who are engaged in agricultural activities. It has facilitated them to market their products such as onion, potato and vegetables to the South and other Northern Provinces. Previously the people used the hazardous ferry service across the lagoon and this service did not work constantly for some years (Ibid. 2011: 7).

Paddy cultivation undertaken in 58,000 acres in the Maha season in March 2011 has been very successful. The Kalmadu Tank that was breached by the LTTE has now been fully renovated providing irrigation facilities to the farmers³⁵. Renovation of the Akkarayankulam tank and the Kalyanai Nagappaduwanakulam tanks under the economic development program of the government is in progress. Most of the farmers have been able to sell their paddy to either the Paddy Marketing Board (PMB) or their cooperative societies at reasonable prices (Interview with an IDP in Kilinochi district – March 2012).

The initial work on the two garment factories in Ariviyal Nagar (Jaffna district – Northern Province) started in 2009, 35 girls have already been provided employment during the building construction process, 100 more girls are to be absorbed into jobs. The above development projects on various issues show that the Vadakkin Vasantham (Northern Spring) has improved the development sector particularly in the Northern Province of Sri Lanka (Interview with a group of garment workers in Ariyala – Jaffna district, March 2012)

³⁵ It is noted that due to the Kalmadu irrigation project many farmers began to cultivate paddy and vegetables in the Northern Province of Sri Lanka. In fact, Kalmadu Tank is one of the biggest water Tank in the Northern Province of Sri Lanka (Interview with an IDP in Vavuniya, March 2012).

The initial work on Sri Lanka-German Technical College is to come up (2013) in Kilinochchi in collaboration with the National Apprentice and Industrial Training Authority (NAITA) and youths are to be provided industrial and technical training in various trades for skills development so that they can either find suitable jobs or engage themselves in self-employment ventures (Interview with a group of IDPs in Kilinochi – March 2012). In fact, this could be a path to the former LTTE combatants to receive some skill development and engage self-employment.

Development on plantation work: Pal tree and coconut tree are under way vastly both in Vavuniya and Jaffna district. According to the Government Agent (GA) in Vavuniya, the reconstruction of Palm factory in Jaffna and Coconut factory in Vavuniya increased the harvest in these provinces. As a result the Sri Lankan government is planning to reduce imports from India in the near future (Interview with GA in Vavuniya – March 2012). Apart from those developments many other developments are under way in the Northern Province under the Vadakkin Vasantham Project in Sri Lanka.

Killakin Uthayam (Eastern Awakening)

After nearly three decades of oppression due to LTTE terrorism, the Eastern Province was liberated in 2007 with the Mavil-Aru humanitarian operation, bringing new hope for lasting peace and prosperity to the region. Since the liberation, the people of the East have seen positive changes. The government took immediate steps to clear landmines, resettle the displaced and establish democracy in the province.

Soon after the Eastern Province was freed from the LTTE, all infrastructure facilities in the Eastern Province have been restored in all three districts (Ampara, Batticaloa and Trincomalee) under the Killakin Uthayam (Eastern Awakening). According to the Additional Secretary of the Ministry of Economic Development, the government had set aside 425

billion rupees for the reconstruction activities in the North and Eastern provinces from the year 2006 to 2011. The government has spent a large amount of money for resettlement, de-mining, reconstruction of destroyed infrastructure including the water reservoirs, and for welfare activities (Interview with Nihal Perera - Additional Secretary of the Ministry of Economic Development. March 12th, 2012). Moreover, the Indian government also extended aid for housings in the North and Eastern Provinces under the Kilakkin Uthayam (Eastern Awakening) Program. The Sri Lankan government also helped the war-affected communities' livelihood and cultivated paddy, vegetables and fruit in a large area while taken measures to increase milk production in the North and Eastern Provinces of Sri Lanka (Ibid. 2012).

Under the Kilakkin Uthayam (Eastern Awakening) Programme major development projects have commenced and some completed in all three districts of the Eastern Province. The programme aims to promote de-militarization, development, democratization and devolution in the East. Thus, it incorporates the core components of the "Mahinda Chintana"³⁶ which are restoration of law and order and civil administration, equitable resource allocation among all communities, speedy implementation of the de-mining programme, restarting livelihood activities and reconstruction of damaged social and economic patterns, as well as restoring infrastructure (Eastern Awakening Report. 2013).

Followings are some of the sectors that increased after the Killakkin Uthayam (Eastern Awakening) Programme. Paddy cultivation was 4% in 2006-2007 and it was increased up to 7% in 2007-2008 in Ampara District. Paddy cultivation was 13% in Batticaloa District in 2006-2007 and then increased to 133% in 2007-2008. The paddy cultivation area in Trincomalee District was 38% in 2006-2007 and it increased up to 58% in 2007-2008. Overall the paddy cultivation was increased from 5% in 2006 to 38% in 2008

³⁶ Mahinda Chintana was a "development strategy" which was introduced by the UPFA government in 2005.

(Ibid. 2013). The above data shows that eastern Awakening has greatly improved the paddy cultivation in the Eastern Province of Sri Lanka.

Vegetable cultivation in the Eastern Province was 5345 hectares in 2006-2007. It was increased to 9518 hectares in 2008-2009. Livestock, the cattle population in the Eastern Province was 264,063 in 2006 and it was increased to 326,671 in 2008 while the poultry population was 698,074 in 2006 and increased to 883,821 in 2008. Roads and bridges, the Sri Lankan government has initiated construction and repair of 3007 km of roads, 28 new culverts and 32 bridges. Housing Projects, the Sri Lankan government has initiated a project to build 42,747 houses in the Eastern Province, at a cost of Rs.9591.087mn under the Kilakkin Uthayam - Eastern Awakening Programme (Ibid. 2013).

Power and Energy was gradually increased in the Eastern Province. Electricity was provided to only 42.33% in Ampara District in 2005. It increased to 56.50% in 2008. Batticaloa District had electricity in only 46.00% of the province in 2005 but went up to 54.20% by 2008. It was 55.57% in Trincomalee District in 2005 and then rose to 56.50% in 2008. In 2005 only 47.90% of the entire Eastern Province had electricity but it increased to 59.00% by 2008 (Ibid. 2013).

Transport was gradually improved in the Eastern Province. The Sri Lankan government has deployed nearly 60 new busses and built 2 model depots in Trincomalee District at a cost of Rs.8.93 million. 5 route permits were also issued and school services started in the District. 62 new buses were deployed while 2 model depots were built in Batticaloa District at a cost of 50.07 million. Drivers were recruited and the railway station was repaired by the Sri Lankan government (Ibid. 2013). Apart from the transport, tourism also increased due to the Kilakkin Uthayam in the Eastern Province of Sri Lanka.

Although, both Vadakkin Vasantham (Northern Spring) and Kilakkin Uthayam (Eastern Awakening) initiated many development projects both in the North and Eastern Provinces of Sri Lanka, there are some shortcomings in these two development projects that have to be discussed in detail. This will be explained at section 5.3.2.

5.3. International Assistance of Protecting IDPs

The end of the armed conflict (2009) brought a large amount of money to the IDPs in Sri Lanka. Many foreign countries provided money for this vulnerable group and urged the Sri Lankan government to repatriate the IDPs immediately to their previous homes. The following table shows some of the international assistance that came to Sri Lanka for the IDPs after the conflict ended (from 2009 to present).

Table 8- Foreign Assistance to Protect IDPs in Sri Lanka

Donor Countries	Financial Assistance	Purpose
United Kingdom	UK£ 3 million (2009)	Humanitarian Assistance
United States of America	US\$ 56 million (2009)	Repatriation
France	Euro 2.6 million (2009)	Food Assistance
Canada	CAD 22.5 million (2010)	Humanitarian Assistance
Japan	JPY 117 million (2010)	Infrastructure
Australia	AUD 10 million (2010)	Water and Sanitation
Norway	NOK 12 million (2011)	To Get Legal Documents
Sweden	Rs. 600 million (2011)	Infrastructure
India	Rs. 500 million (2011)	Infrastructure
Pakistan	Rs. 50 million (2011)	Health care services
China	Rs. 300 million (2012)	Infrastructure

(Source: Ministry of Foreign Affairs in Sri Lanka March 12, 2012).

The above table shows that many foreign countries provided financial assistance for various purposes. For example, the United Kingdom (UK) provided UK£ 3 million for humanitarian assistance. The United States of America (USA) provided US\$ 56 million for repatriation. France provided Euro 2.6 million for food assistance. Canada provided CAD 22.5 million for humanitarian assistance. Japan provided JPY 117 million for infrastructure. Australia provided AUD 10 million for water and sanitation. Norway provided NOK 12 million to issue legal documents. India provided Rs. 500 million for infrastructure. Pakistan provided Rs. 50 million for health care services. And China provided Rs. 300 million for infrastructure (Ministry of Foreign Affairs. 2012).

Apart from the above countries many other international organizations and religious organizations have also provided assistance to the IDPs. In fact, during the last phase of the armed conflict, Sri Lanka received a lot of international attention. This was partly due to the tragedies of the war and the abuses that the government and the LTTE committed against the civilian population. The way that the Sri Lankan government conducted the war against the LTTE, the way that the LTTE used the Tamils as human shield, the way that the Tamil's sufferings in the war torn areas, the way IDPs suffered in the IDP camps motivated many foreign countries and international organizations to support the Tamil IDPs in Sri Lanka. Moreover, the Tamil Diaspora who lived in abroad also urged its host countries to support their Tamil counterparts in Sri Lanka and provided large amounts of money (Ibid. 2012).

It is reported that, a group of Tamil Diasporas in Canada sent a cargo ship in 2009 with full of food and basic needs to the IDPs in Sri Lanka. Moreover, Tamils in India also sent a ship with full of foods and medicines to the IDPs in the North. The above examples show that Tamils who lived outside the country (Diasporas) extended their support to the war victims in Sri Lanka (Ibid. 2012).

5.3.1. Assistance for Repatriation of IDPs

This section will explore the Indian housing project for the IDPs in Sri Lanka. Since the conflict end in May 2009, the Indian government promised to provide 50,000 houses for the IDPs in Sri Lanka. In January 2010, both the Indian and the Sri Lankan government signed a Memorandum of Understanding (MoU) specifying the modalities for the housing project being implemented with India's assistance (Ministry of Resettlement and Disaster Relief Services. March, 2010).

Under the first phase of the project, 38,000 new houses are to be constructed and in the second phase repair work of about 5,000 houses will be carried out under the owner-driven model. Third phase will see the construction of 6,000 houses out of which 4,000 are to be built in the Central and Uva Provinces for tea estate workers (Indian Tamils). The main purpose of this housing project is to provide the housing assistance to the IDPs and improve their living conditions in the war affected areas (North and Eastern Provinces)

The Indian High Commission in Colombo announced that a pilot project to construct 1000 houses spreading in all five districts of the Northern Province, which is underway at the moment. A statement by the Indian High Commission in Colombo said that the 50,000 housing project, signed when the Sri Lankan President Mahinda Rajapaksa visited to India in early 2010, was conceived as a fully grant funded project (Indian High Commission Report in Colombo – Sri Lanka. 2011).

An Indian company, Hindustan Prefab Limited (HPL) is executing this pilot project. The company stated: “we hope to draw important lessons from this pilot phase for implementation of the larger project in the second phase, which will also commence soon”, the statement said, the project, as conceptualized, involves meeting the housing needs of IDPs being resettled in these areas. Given the ground situation, it is envisaged that bulk of their

housing needs will be met by construction of new dwelling units. However, the project will also cater to the needs of a smaller number of IDPs who may wish to have their damaged houses repaired (Ibid. 2011).

The two countries also signed an agreement for India to provide a line of credit of US\$ 382.37 million for the restoration of Northern Railway Services (NRS). The line of credit will be used for track lying on the Pallai - Kankasanthurei railway line, setting up of signaling and telecommunications systems for the Northern railway line and other projects as may be mutually agreed by the two governments (Ibid. 2011).

A MoU between the two governments on cooperation in the field of agriculture was signed by the High Commissioner of India and the Secretary of Ministry of Agriculture. According to this MoU, the Indian government will provide financial assistance to improve the agricultural sectors in the North and Eastern Provinces of Sri Lanka. According to the Indian High Commission statement, both sides will promote development in the fields of agricultural science and technology, agricultural production and agro-processing through joint activities programs (Ibid. 2011).

Telecom Regulatory Authority of India (TRAI) and Telecommunication Regulatory Commission of Sri Lanka (TRCSL) also signed a MoU. The MoU, signed by the Chairman of the Telecom Regulatory Authority of India and the Director General of the Telecommunication Regulatory Commission of Sri Lanka, for establishing a mechanism of technical and institutional cooperation in the field of telecommunications, with the purpose of development of telecommunications in both countries (Ibid. 2011). The above projects show how the Indian government is showing to be keen to rebuild the war affected areas and improve the living conditions of IDPs in Sri Lanka.

Being a neighboring country India has a great concern for Sri Lanka. Some critics (Haneefa, F. 2011 and Hasbulla, S.H. 2012) say that India does not want to allow other foreign countries to get heavily involved on the Sri Lankan issues as this may increase the foreign involvement in the Indian subcontinent and will be a threat for the regional security. However, from the development point of view India has been a supporting ally to Sri Lanka and has shown great interest in solving the disputes in Sri Lanka.

5.3.2. Evaluation of the Impact

This section will evaluate the outcome of two development projects and the Indian housing Project for the IDPs. Both Vadakkin Vasantham (Northern Spring) and Killakin Uthayam (Eastern Awakening) were drafted by the Economic Development Minister Basil Rajapaksa, younger brother of President Mahinda Rajapaksa. Interviewees in the North and Eastern Provinces expressed concerns that these plans were prepared without consulting local-level officials or people living in these areas – grass roots (Interview with IDPs in Vavuniya. March 14th, 2012)

Some NGO workers who have visited to the IDP villages in the resettled areas say that while major highways are being built in the Northern Province, nothing is being done to develop the small roads in the villages (Interview with an NGO worker. March 15th, 2012). In fact, the Sri Lankan government is very concern about making highways and construct bridges. In other words the Sri Lankan government only focuses on the major developments such as road construction, bridges, rail way tracks and highways while lacking focus on micro level projects³⁷, such as village developments, irrigation tanks, tube well services,

³⁷ During my fieldwork in Sri Lanka, I met one chief Engineer from Germany. He was in charged to the railway construction to the North. He told me that the Sri Lankan government is more interested on mega development projects compare to micro level where certain Cabinet Ministers can earn more money (corruption). He pointed out the railway project is highly corrupted in the Northern Province of Sri Lanka.

internal roads, drainage systems, etc. (Ibid. March 14, 2012).

As a result, villagers have to travel long distances, sometimes on foot, in difficult conditions to access their basic facilities. Little is being done to develop village markets while plans are under way to create commercial hubs. The main points raised by some interviewers here are not to criticize the development that is taking place but to challenge the priorities and question that the actual beneficiaries will be. A Tamil NGO worker in Jaffna district said: ‘What development is this? Money is not rotating, money is moving out of these areas. People are being excluded from participating in the development’ (Ibid. 2012).

There are concerns about the politicization of development work and the role of the military in these projects. In 2009, the Sri Lankan President appointed a task force on Northern development. There was only one Tamil and one Muslim out of the 19 members implementing development in an area where nearly 95% of the populations are from their two minority groups (Tamils & Muslims). In the resettlement areas in the Northern Province, everything is controlled by the Presidential Task Force (PTF). Large-scale development projects are planned and implemented under the direction of Basil Rajapaksa, who is also the Minister for Economic Development and a younger brother of President Mahinda Rajapaksa (Interview with an NGO staff in Jaffna. March 15, 2012).

The Defense Secretary Gotabhaya Rajapaksa, first younger brother of President Mahinda Rajapaksa, and the Parliament Member Namal Rajapaksa, son of President Mahinda Rajapaksa, are also involved in development projects in the North³⁸. A Tamil IDP in Batticaloa district (Eastern Province) stated: “Development is happening. But the needs of the people in resettled areas have not been met. People are not consulted. Issues seem to be

³⁸ It is noted that 5/19 were from the President Mahinda Rajapaksa’s family. It is also noted that when the Sri Lankan government introduces some mega development projects it always handle by the President’s family.

identified and decided by the people in power, mostly political, and do not attempt to hear the voices of the people (Interview with a Tamil IDP in Batticaloa district. March 10, 2012).

In general both development projects: Vadakkin Vasantham (Northern Spring) and Killakkin Uthayam (Eastern Awakening) spent a large amount of money in the North and Eastern Provinces. However, the question is to what extent all these developments reached the grass root level, in particular the people who live in the rural villages. According to the Rural Development Authority (RDA) about 70% of people live in the rural villages in Sri Lanka. In such cases the macro level city developments do not bring any benefits to the mentioned group (RDA report. 2010).

Regarding the Indian housing project, it is reported that the Indian government has promised to provide 50,000 houses for the war-affected people both in the North and Eastern Provinces. The housing project started in May 2010 and is still ongoing in many parts of the above provinces. However, there are some criticisms about the ongoing housing project.

The first of these criticisms is pointed at the limited numbers of houses provided. According to the UN-HABITAT it is estimated that at least 70,000 houses are needed to resettle the IDPs in the North and Eastern Provinces, but if the Indian government provide only 50,000 houses then who is in charge for the rest of 20,000 houses? If the Sri Lankan government can make arrangements with some donors or international organizations then the problem will be solved, if not a new problem will arise on the distribution of the houses among the IDPs in Sri Lanka (Interview with UN-HABITAT staff in Colombo. March, 2012).

Second criticism is regarding the delay of the housing construction. It has been two years since the Indian housing project has started but only 3000 houses have been completed. This delay brings a lot of problems to the repatriation activities. According to the UNHCR report (2012) 80% of Tamil IDPs are repatriated to their hometown. But in reality these 80%

IDPs are still in the process of resettlement. Most of them have built a temporary house and live in a particular place until their house construction is over. In some cases these IDPs who are in the process of repatriation live in IDP camps near their villages (Ibid. March, 2012).

Thirdly, there is a problem on distributing the houses among the Tamil and Muslim IDPs. In fact, the Indian government did not say anything about the distribution of houses. But it seems that most of the houses will go to the Tamil IDPs. This can be presumed as most of these housing constructions are taking place in the Tamil dominated villages. The Muslims who lived in the North and Eastern Provinces are most likely to be excluded from this ongoing Indian housing project (Ibid. March, 2012).

Fourthly, there is a problem about the quality of housing construction. Although, the Indian government set some minimum regulation or standards for the housing construction it was not followed by any of the housing company which constructed houses for the IDPs. One IDP pointed out that although the Indian government allocated 1 million for a house, the constructor do not spend the full budget, may be they spend about 600,000 to 700,000 for a house. The rest of money goes to the constructor. It is reported that some housing constructors use low quality building materials in which some houses get crack on the wall soon after the construction is over. In fact, the Indian housing project is very corrupted at the construction level (Interview with an IDP in Kilinochi. March 25th, 2012).

Finally, although the Indian housing project provides housing assistance to the Tamil IDPs it has some limitations on providing infrastructure. In some resettled Tamil villages, there are no infrastructure facilities, schools or hospitals near the constructed houses. Maybe in the future some other organizations may deal with these issues, but up to this point there are no such initiatives in these newly resettled Tamil IDP villages. It seems that people who resettled newly in these resettled villages face dozens of problems in their daily lives.

5.4. Discussion with Special Focus on the Protection of Smaller (Muslim) IDPs

This section will explore a number of issues with related to the Muslim IDPs and their protection issues: long term IDP camp life (Old IDPs), lack of protection from the Sri Lankan government, lack of protection from the International organizations and domestic NGOs, marginalization during the process of foreign assistance, marginalization in the development projects, marginalization in the Indian housing project, lack of focus from the Muslim political parties and the lack of international support from Muslim countries. The following paragraphs will explain them.

Long term IDP camp life: According to the UNHCR report in 2013, the IDPs can be divided into two categories: Old IDPs and New IDPs. Old IDP refers to those who were displaced in 1990. The New IDPs are those who were displaced during the last phase of armed conflict, from 2006 to 2009. Currently, 93,000 IDPs live in IDP camps, among them 40,000 are old IDPs (Muslims) and 53,000 are new IDPs (Tamils). At the moment, the Sri Lankan government is focusing its efforts on the needs of New IDPs (Tamils), providing them with housing and infrastructure.

The tendency to prioritize the protection of the New IDPs in Sri Lanka is partly due to the fact that the government has been pressured by the international community to repatriate the Tamils who were displaced in the last phase of armed conflict. Among them, the pressure from the Indian government to repatriate the Tamil IDPs has been particularly significant. Contrastingly, the Muslim IDPs' question has been largely ignored by the international community, even by the Muslim countries. This fact has increased the perception of the Sri Lankan government that the urgency of the Tamil IDPs precedes in importance that of the Muslim IDPs.

Although the Northern Muslims were forcibly evacuated by the LTTE, the Sri Lankan government has the prime responsibility to protect those (Muslim IDPs). However in the past the Sri Lankan government did not show any commitment to protect these Muslim IDPs and assist them to repatriate to their hometown. This has not changed regardless of the fact that in 2009, right after the conflict ended in Sri Lanka, the Sri Lankan president stated that all Muslims would be repatriated to their home within one year. Today, three years and two months have passed since the promise was made, but Muslim IDPs are still waiting for repatriation (Ministry of Resettlement and Disaster Relief Services, June 20, 2009). In the case of Muslim IDPs, the Sri Lankan government is only issuing the statements and promises on various occasions³⁹, but there is no action to resettle them in the North unlike Tamil IDPs.

Furthermore, Muslim IDPs have received little assistance from the international organizations and domestic NGOs when compared to the Tamil IDPs. These organizations are mainly based in the North and Eastern Provinces. Yet, from their point of view the Tamils and the Sinhalese are the two major parties directly involved in the conflict and Tamils are a priority for protection, assistance and repatriation. While it is true that Tamils were heavily affected during conflict, it is also important to think about the smaller minority (Muslim IDPs) who were highly affected in the conflict long time ago and still live in IDP camps.

There has also been a phenomenon of marginalization during the process of foreign assistance. As mentioned in section 5.3 (Table-8), when the conflict ended in May 2009, many international organizations and donor countries provided a huge amount of money to the Tamil IDPs and urged the Sri Lankan government to protect them and repatriate soon to

³⁹ For example, in October 2012, when the All Ceylon Muslim Congress (ACMC) commemorated the expulsion of the Northern Muslims in Colombo, Minister Basil Rajapaksa (Economic Development) stated that when year 2013 comes, I will not let the ACMC to commemorate such event again. It means by 2013 all Muslims will repatriate to their homes. But up to now there is no repatriation for Muslims.

their previous hometowns. But none of the international organizations or any single donor country provided assistance specifically targeting the Muslim IDPs' repatriation. Donor countries and international organizations have used a double standard policy for the Tamil and Muslim IDPs, further perpetuating the marginalization of Muslim IDPs in the country.

Muslim IDPs have also been marginalized in the existing development projects, Vadakkin Vasantham (Northern Spring) and Killakin Uthayam (Eastern Awakening). Old IDPs (Muslim IDPs) live in the North-Western Province of Sri Lanka and these programs focus their activities only in the Northern and Eastern provinces, therefore Muslim IDPs do not receive any benefits from these two national development projects in Sri Lanka.

Another factor that has affected the protection of Muslim IDPs is the lack of focus from the Muslim political parties and the lack of international support from Muslim countries. As mentioned in the previous chapter of this study, the Muslim political parties are very diverse in the present government. As a result, these political parties do not have enough political power to urge the Sri Lankan government to protect the Muslim IDPs in Sri Lanka.

Added to these, there has been a failure to internationalize the Muslim IDP issues. Very few Muslim scholars in Sri Lanka have focused their efforts on the study of the Muslim IDPs needs. As a result the issue has not been highlighted in the eyes of the international community or the Muslim countries with the capacity to provide assistance for the protection and repatriation of the mentioned group. While some Arab countries have the economic capacity to help to the Muslim IDPs, the plight of the Old IDPs in Sri Lanka is still largely ignored in those countries. The above examples show that Muslim IDP are vulnerable in many ways when compared to Tamil and Sinhala IDPs in Sri Lanka.

5.5. Conclusion

As examined above, the reality of how much protection IDPs in Sri Lanka were able to receive revealed a mixed result. First, the extent to which the Sri Lankan government actually provided protection to the IDPs turned out to be limited. As discussed above, many parliamentary acts that were promulgated from 1987 to 2007, but those did not necessarily target the IDPs as beneficiaries. Moreover, the IDP-Bill in (2008) that the Sri Lankan government established targeting the IDPs proved to have many shortcomings both at the policy and implementation levels.

Regarding international assistance to the IDPs, it is noted that there is a gap between the Tamil and Muslim IDPs in terms of receiving the international assistance from donors. From the Muslim IDPs' point of view the international assistance towards IDPs were biased and prioritized mostly the Tamil IDPs. In terms of domestic assistance, the Muslim IDPs are marginalized from the major development projects in Sri Lanka. It is noted that both Vadakkin Vasantham and the Kilakkin Uthayam are mostly focused on the North and Eastern Provinces, but in the case of Muslim IDPs they live only in the North-Western Province. From the Muslim IDPs' point of view, they have been excluded from the major development projects, which the Sri Lankan government introduced for the IDPs in the post conflict era.

Regarding the political aspect, the Muslim IDPs who live in the Puttalam district do not receive much political support either from the Sri Lankan government or from any of the Muslim political parties. From the Muslim IDPs' point view the Muslim political parties, which have political alliance with the present government, are so diverse and politically not strong to demand the rights of Muslim IDPs and their repatriation

CHAPTER– 6: CONCLUSION

The aim of this chapter is to draw a conclusion of this study. This research offers two types of conclusions: First it offers a chapter-wise conclusion based on the research questions on each chapter and then an overall dissertation conclusion based on the research objective. Each of the chapters of this study deals with various issues of the Sri Lankan conflict linked to victims of internal displacement such as conflict and minorities, conflict and Muslim IDPs, political alliance with the Sinhala majority and the protection of IDPs and the limitation of domestic and international assistance.

The second chapter found out how the conflict has affected the ethnic minorities in Sri Lanka. One of the key findings of this chapter is that the prolonged armed conflict has violated all rights of minority and produced more victims from the Tamil and Muslim ethnic groups in Sri Lanka. It is noted that the conflict has affected the livelihood of ethnic minorities and their security issues mostly in the North and Eastern Provinces of Sri Lanka. Furthermore, when the Sri Lankan government introduced some development policy or planning it often favored to the Sinhala majority, while it gave less important to the Tamil and Muslim ethnic minorities in Sri Lanka.

The third chapter clarified why Northern Muslim IDPs continue to be marginalized in the Puttalam district. One of the findings of this chapter is that the Muslim IDPs who live in the Puttalam district do not receive enough protection or assistance 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 that the Sri Lankan government introduced for the Tamil IDPs in the post conflict era (from 2009 onwards). Muslim IDPs are economically vulnerable, politically marginalized, and being a smaller minority they are powerless in Sri Lanka.

The fourth chapter demonstrated why Muslims often form political alliances with the Sinhala majority and to what extent the Muslim political alliance can utilize the present government to protect the Muslim IDPs and repatriate them to their original places. The study found out that Muslims believe that the political alliance with the Sinhala majority is one of the tools that can bring political benefits and ensure the minority rights in Sri Lanka. In fact, it was proved during the post independence period in Sri Lanka.

The fifth chapter dealt with the limitations of domestic and international assistance towards IDPs in Sri Lanka. The study found out that in the case of IDPs, the Sri Lankan government has failed to provide equal protection for both the Tamil and Muslim IDPs. Regarding the international assistance, it is noted that there is a gap between the Tamil and Muslim IDPs in terms of receiving the assistance from international organizations and donors.

Overall Dissertation Conclusion

This section aims to draw a conclusion based on the research objective and theoretical background of this study. The main objective of this research is to explore how the minorities' rights are affected by a protracted conflict, particularly in the case of the smaller minority in a highly ethnically polarized state. To illustrate such phenomena the case study of the Muslim's internal displacement in Sri Lanka was analyzed in this research.

Throughout, the data and information analysis in this research concluded that Muslims have been politically supporting the Sinhala majority since the independence of Sri Lanka. It is noted that the Muslims in Sri Lanka were not interested in armed conflict at any time, but they used political participation as a tool to win their minority rights. Muslims have got some political benefits via their political participation with the Sinhala majority in the post independence period. However recently in the post conflict period Muslim political

alliances could not bring any constructive political benefits to the Muslims (Muslim IDPs) due to their political polarization.

Regarding the theoretical background, the author analyzed the majority rule vs. minority rights theory. In Sri Lanka, the majority (Sinhala) rule often violates the minority's rights (Tamil and Muslims). At this point it is important to see how the minorities can unite in terms of politics and support to the Sinhala majority. If the minority can come up with some political power among themselves they can put some pre-conditions to the Sinhala majority and win their minority rights via their political participation. In other words by supporting to the Sinhala majority the minority can ensure their rights and existence in Sri Lanka.

Limitations of this Research

Followings are some limitations of this research.

- Lack of literatures on Muslim IDPs: Although many scholars have discussed about conflict and IDPs a few of them have discussed the issues of Muslim IDPs in Sri Lanka. The lack of literature was a big challenge to complete this research.
- Lack of access to some Muslim IDP camps: Although, the author has conducted a series of field work research in the Puttalam district, due to the lack of access to some IDP camps, he could not conduct more research particularly in the rural IDP camps.
- Lack of focus on Muslim Political participation in the Northern Province: Although, this research touched upon about the Muslim political participation with the Sinhala majority, the focus about the Northern Muslim IDPs were not highlighted much by the author due to the scope of this research

- Lack of focus on host (local people in Puttalam) and guest (Muslim IDPs) problems in the Puttalam district over many issues (Political, economical, social and cultural). Although, this research wants to explore more on these issues, due to the scope of this study the author has omit it.

Suggestions and Recommendations

This section will point out some suggestions and recommendations to the Sri Lankan government, Muslim political parties, Tamil Political parties and International community to improve the protection of Muslim IDPs and repatriate them to their previous hometown in the Northern Province of Sri Lanka.

Suggestions

- Enforce minority rights: In Sri Lanka, the rights of minorities (the right to exist, the right to non-discrimination, the right to protection of identity & religion and the right to participate in public affairs) were highly violated during the conflict by both the Sri Lankan government and the LTTE. Now it is the time for the Sri Lankan government to ensure the rights of minorities and enhance their security in the country.
- Political solutions to the minority: Although the armed conflict was over, still there is no political solution from the Sri Lankan government for the minority. The Sri Lankan government has been proposing some political solutions to the minority, but it has to go a long way to reach those minority (Tamil and Muslim) ethnic groups.
- Formation of a national policy for IDPs: It is very important to focus on the formation of new national policy for IDPs in Sri Lanka. Although, the IDP bill which is established by the Human Rights Commission (HRC) of Sri Lanka in 2008, is not effective to protect the

IDPs from vulnerability. It is noted that the IDP bill has some problems at the implementation level too.

- Formation of legal framework for IDPs: In fact, there are numbers of legal provisions and Parliament acts about the IDPs but not many focuses on the Muslim IDPs. At this point it is important to combine all legal provisions and create a normative legal framework for all IDPs in Sri Lanka.
- Address the plight of Muslim IDPs: It has been 22 years since the Muslims were forcibly evacuated from the Northern Province and continue to live in IDP camps in the Puttalam district. IDP camp life has demoralized men, women and children. It is important to address the Muslim IDPs as a special category and address their plights in the IDP camps.
- Internationalize the Muslim IDP issues to the world: It is noted that the Muslim IDP issues are not internationalized unlike Tamil IDPs. Many Muslim countries do not know the vulnerability of Muslim IDPs in Sri Lanka.
- Repatriation of Muslim IDPs: It has been three years and five months since the armed conflict was over between the Sri Lankan government and the LTTE, but still around 40,000 Muslims live in IDP camps in the Puttalam district. The Sri Lankan government should focus more on the Muslim IDPs and make the necessary arrangements for their safe repatriation.

Recommendations

To the Government of Sri Lanka:

- Ensure the rights of freedom of movement and safe return of Muslim IDPs to their previous home in the Northern Province of Sri Lanka.

- Establish a presidential commission to investigate the ethnic cleansing of Muslims from the Northern province in 1990 and address both immediate needs and long-term legal, political and physical obstacles to an eventual return.
- Ensure that any political solutions for the minority will include the Muslims' demands and rights as a separate ethnic group in Sri Lanka.
- Ensure that Muslims are included in the major development programs such as Vadakkin Vasantham (Northern spring) and Kilakkin Uthayam (Eastern Awakening).

To the Muslim Political Parties

- Unification of Muslim Political Parties over the Muslim IDP issues. In fact, Muslim political parties are so diverse in terms of Muslim IDP issues in Sri Lanka
- Make a great commitment to repatriate all Muslim IDPs (who have been living in the Puttalam district in the past 23 years) to the Northern Province.
- Pressurize the Sri Lankan government (Sinhala majority) towards the Muslim repatriations to the Northern Province
- Pressurize the Sri Lankan government (Sinhala majority) to ensure the Muslim ethnicity and identity in the Northern Province of Sri Lanka

To the Tamil Political Parties:

- Ensure the existence of Muslims in the North and Eastern Provinces of Sri Lanka and respect their minority rights.
- Establish a Committee / body to address the issues of Muslim IDPs in the North and East.

- Ensure the repatriation of Muslims to the North and make ethnic harmony between the Tamil and Muslim ethnic groups.
- Make a public commitment to a multiethnic political future for the North and East, in which the Muslims share political powers.

To the International Community:

- Make a greater commitment to include Muslim concerns in any new development projects to the IDPs in Sri Lanka.
- Be neutral among three ethnic groups (Sinhala, Tamil and Muslim) when some development related projects take place in Sri Lanka.

ANNEX

Fieldwork Research in Sri Lanka (From February 17th to March 23rd 2008).

Title: Internally Displaced People (IDPs) and Ethnic Minorities: A Case study of Muslim IDPs in the Puttalam District of Sri Lanka

Purpose: The purpose of this fieldwork research is to explore the presence of IDPs and find out their vulnerability. A special focus has given to the World Bank housing project for the Muslim IDPs in the Puttalam district of Sri Lanka.

Research Areas: Colombo, Puttalam and Vavuniya Districts.

Target Group: Muslims and Tamil IDPs

Research Issues: Food, shelter, water & sanitation, education, health care, security, relocation, housing project, infrastructure, job employments etc.

Research Order

1. At the Sri Lankan Government Level
2. At the International Organizations Level
3. At the Domestic NGOs Level
4. At the IDP camps Level
5. IDPs (both Individual & group level)

At the Sri Lankan Level

1. Ministry of Resettlement and Disaster Relief Service
2. Resettlement Authority

AT the International Organizations Level

1. The Role of UNHCR (Protection, Assistance and Repatriation)

- | | |
|---------------------------|--|
| 2. The Role of UNICEF | (IDP children & education) |
| 3. The Role of World Bank | (Puttalam housing project for Muslim IDPs) |
| 4. The Role of WFP | (Dry Food Rations for IDPs) |
| 5. The Role of JICA | (Development Projects for IDPs) |

At the Domestic NGOs level

- | | |
|--------------------------|---------------------------------------|
| 1. The Role of SHADE | (Psycho-social programs for IDPs) |
| 2. The Role of RDF | (Rural Development Programs for IDPs) |
| 3. The Role of SARVODAYA | (Humanitarian Assistance for IDPs) |
| 4. The Role of OHRD | (Vocational Trainings for IDPs) |
| 5. The Role of CPA | (Peace Oriented Programs for IDPs) |

At the IDP Camp level

Eight IDP camps were selected from four administrative divisions in Puttalam

- | | |
|----------------|---|
| Puttalam: | 2 IDP camps (Mohideen Nagar and Salten-No.2) |
| Kalpitiya: | 2 IDP camps (Ashar Nagar and Al-Manar camp) |
| Vannathavillu: | 2 IDP camps (Mujahideen Puram and Salamabath) |
| Mundal: | 2 IDP camps (Hidayath Nagar and Al-Madeena Nagar) |

At the House-hold level

- | | |
|---------------------------------|-----------------------|
| 1. IDPs in Groups | (10 to 15 IDP groups) |
| 2. IDPs at the Individual Level | (About 150 IDPs) |

Interviewed People

At the Sri Lankan government Level

- | | |
|--|-------------|
| 1. Hon. Rishad Badiudeen: Cabinet Minister | (3/10/2008) |
| (Ministry of Resettlement and Disaster Relief Service) | |
| 2. Mr. Ameen: Chairman for Resettlement Authority | (3/11/2008) |

3. Mr. Mohideen: Director of Resettlement Authority (3/11/2008)
4. Mr. Fahry: Commissioner for Northern Displaced Muslim (3/12/2008)
5. Mr. Senaka: Project Manager for National Human Rights Commission of Sri Lanka - IDP Project (3/12/2008)
6. Mr. Yaseen: Project Director for World Bank Housing Project in Puttalam district (3/13/2008)
7. Mrs. Parameswary: Project Director for IDPs in Vavuniya (3/13/2008)
8. Interviews with village head men in Puttalam District (3/14/2008)
9. Interviews with IDP camp officers in Puttalam District (3/14/2008)
10. Interviews with ex-government officers in Puttalam District (3/15/2008)

At the International Organizations Level

1. Interview with World Bank Country Director in Sri Lanka (3/15/2008)
2. Interview with WFP Project Director in Sri Lanka (3/16/2008)
3. Interview with JICA Country Director in Sri Lanka (3/18/2008)
4. Interview with CARE staff in Vavuniya district (3/18/2008)
5. Interview with UNHCR Project Director in Vavuniya District (2/20/2008)
6. Interview with UNICEF Project Director in Vavuniya District (2/20/2008)
7. Interview with Save the Children staff in Vavuniya district (2/21/2008)
8. Interview with FORUT staff in Vavuniya district (2/21/2008)
9. Interview with ICRC Project Director in Vavuniya district (2/22/2008)
10. Interview with UNDP staff in Vavuniya district (2/22/2008)

At the Domestic NGOs Level

1. Interview with SARVODAYA Project Director in Colombo (3/17/2008)
2. Interview with CPA staff in Colombo (3/17/2008)
3. Interview with SHADE Managing Director in Vavuniya district (3/18/2008)

4. Interview with RDF Project Director in Puttalam District (3/19/2008)
5. Interview with OHRD staff in Puttalam (3/20/2008)

At the IDP Camps Level

1. Interviews with IDPs in groups (3/21/2008)
2. Interviews with IDPs in individual (3/21/2008)
3. Interviews with IDPs women (3/22/2008)
4. Interviews with IDPs children (3/22/2008)

Questions for interviewers

For Divisional Secretary:

1. How do you receive food assistance from the Sri Lankan government?
2. How often do you receive food assistance from the Sri Lankan government?
3. How do you transfer the food assistance to each IDP camp?
4. How do you distribute food assistance to the IDPs? How do you fix the amount of food for each IDP?
5. How do you prioritize food items to the IDPs? For example, rice, milk and sugar are essential for everyone, in such cases how do you provide for each IDP?

Village Head Men:

1. How do you meet the people and make arrangements for their administrative purposes in IDP camps?
2. What are the issues that you often handle with them? Such as education, health, dry ration food etc
3. How do you distinguish the locals and IDPs in terms of administrative issues and how do you handle with them?
4. It is reported that both IDPs and local people often fight over many issues, in such

situation how do you deal with them or mediate?

Camp Officers:

1. How do you deal with IDPs and meet their needs?
2. What are the issues that you handle with them? For example maintaining IDP camps, provide some essential administrative documents, etc.
3. What are the problems that IDPs face in their camp life?
4. How do you work together with police officers to maintain security for IDPs?

IDPs at the Household level:

1. What are the problems that you face in IDP camps? (Security, food, health, education, job etc)
2. In terms of security, do you feel secure in IDP camps? Who is responsible for providing security for you?
3. Are you happy with the security provided by the Sri Lankan government?
4. How do you evaluate their security system?
5. In terms of food assistance, do you receive enough food from the Sri Lankan government?
6. How often and how much food do you receive for one month? How about the non food items such as utensils and other housing materials, do you receive them?
7. Regarding housing, what kinds of assistance do you receive from the Sri Lankan government and international organizations?
8. Do you receive housing assistance from the World Bank?
9. As for education, do you have enough schools to send your children for study?
10. Regarding health issues, what kind of support or assistance do you receive from the Sri Lankan government and other organizations?
11. Do you have enough hospitals where you can get medical treatments?

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