

**MUSLIMS AND THE INTERIM ADMINISTRATIVE STRUCTURE**  
**IN THE NORTH - EAST**

For the Muslims to consider the establishment of the Interim Administrative Structure in the North-East. (1) The parties to the cease fire agreement dated 22<sup>nd</sup> February 2002 – the Sri Lanka Government – GOSL and the Liberation Tigers of Tamil Elam – LTTE, should agree to the participation of an independent Muslims Group to represent Muslims Interest in all the future peace talks. (2) Immediate recruitment of not less than 550 Muslim youths to strengthen the Police Stations in the areas of Historical Habitation of the Muslims in the North-East, to safeguard the lives and properties of the Muslims. (3) Establishment of an International Human Rights Monitoring Mission in all the eight Districts of the North-East to monitor Human Rights Violation.

Other important concerns of the North-East Muslims are:

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

The proposed Interim Administrative Structure will have a Police force consisting mainly if not solely of Tamils. In the process one cannot be unmindful of the strong likelihood that most vacancies in the cadre of the proposed police force will be filled with Tamil militants. In such a situation it will lead to constant fear, anxiety and tension in the Muslim community. Muslims do not wish to be terrorized any longer by the Tamil militants. Therefore, the security arrangements in the traditional Muslim areas should be in the hands of the Muslims.

Since all settlements in the Northeast region on state land, will be under the control of the Tamil majority Interim Administrative Structure, the identified traditional Muslim areas, should be under the control of the Muslims. Entitlement of state lands for the Muslims should not be less than 40% in the Eastern Province, 30% in the Mannar District and 5% in the rest of the Northern Province.

Muslim majority Pradeshiya Sabhas and Divisional Secretariat Divisions comprising the legitimate residential and agricultural areas and natural resources according to the ethnic population ratio should be created in Pottuvil, Akkaraipattu, Addalachenai, Ninthavur, Kalmunai, Maruthamunai, Natpitimunai, Sammanthurai and Irakkamam in Ampara District. Kattankudi, Eravur, Oddamawadi and Valaichenai in the Batticaloa District, Muthur, Kinniya, Thanpalagamam, Kanthalai, Thoppur and Kuchcheveli in the Trincomalee District and Musali, Erukkalampitti and Tharakundu in the Mannar District and Jaffna in the District of Jaffna.

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

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

In order to ensure maximum safeguards and to enable the Muslims to enjoy equitable power sharing, provision should be made for the Muslims to be entitled to not less than 35% of the members and the Chairpersons of Committees the North-East Interim Administrative Structure.

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

Muslim should be entitled to job opportunities in the public sector in proportion to their population in each district in the North-East.

In the field of Education, special consideration should be given to Muslim Schools in the backward areas. Separate educational facilities should be provided for the benefit of the Muslims up to the university level.

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

### **INTERIM ADMINISTRATIVE STRUCTURE FOR THE NORTH-EAST**

1. There shall be established one Interim Administrative Structure for the Resettlement of the Internally Displaced People, Reconstruction and Development of the war affected North-East for a period of 3 years, and there after Two separate Interim Administrative Structures one for the Tamils and another for the Muslims for a further period 2 years in the North-East.
2. The objective of the interim Administrative Structure shall be to establish peace and normalcy in the Northern and the Eastern provinces.
3. During the interim period the Administrative Structure shall ensure the de-escalation of violence and the decommissioning of illegally held arms in the possession of all militants.

### **CONSTITUTION OF THE INTERIM ADMINISTRATIVE STRUCTURE**

- i. The total number of the members of the interim Administrative Structure shall consist of such number of members as is equal to the total number of members entitle to be returned in accordance with the determination by the Commissioner of Elections under Section 3 (3) of the Provincial Council elections Act of 1998 from the several districts of the Northern and Eastern Provinces to the North-East Interim Structure.
- ii. The Interim Administrative Structure should consist of representatives from all three communities.

- iii. GOSL and LTTE will decide on the proportion of membership among the three communities. It is suggested that there should be a minimum of 35% of the seats for the Muslims.

### **POWERS AND FUNCTIONS OF THE INTERIM ADMINISTRATIVE STRUCTURE**

- (i) The Interim Administrative Structure shall be entitled to exercise all the powers for the Resettlement of the Internally Displaced People – IDPs, Reconstruction and Development of the war affected North-East.
- (ii) The powers of the Interim Administrative Structure shall be based on the “Doctrine of Necessity”.
- (iii) The core subjects and functions to be assigned to the Chairman and members of the Committees shall also be based on the “Doctrine of Necessity”.

### **ADMINISTRATION IN THE AREAS OF HISTORICAL HABITATION OF MUSLIMS IN THE NORTH-EAST**

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

### **IMPLEMENTING AGENCY OF THE INTERIM ADMINISTRATIVE STRUCTURE**

- I. All the development programmes of the interim Administrative Structure shall be channeled through the respective District Secretaries.
- II. As soon as the interim Administrative Structure is established; the central government shall proceed to appoint a delimitation commission to establish ethnic oriented local authority areas all over the Northern and Eastern Provinces.
- III. As far as possible and practical the commission shall endeavor to bring in within the same Local Authority area of all the residential and agricultural and other areas and resources of the people of the same community.
- IV. The delimitation commission in the process shall also re-examine the boundaries of the existing local authorities and may recommend the creation of such additional

number of ethnic oriented local authority areas with a view to allay the fears and suspicions of the different ethnic communities and people.

- V. Such new local authorities as recommended shall be established within a period of one year and the Central Government with the assistance of the Interim Administrative Structure shall ensure the holding of elections to all local authorities in the North-East whose term of office has expired.

### **MINORITY SAFEGUARDS**

There will be the following safeguards to ensure that all communities in the Northern and Eastern provinces can participate and work together successfully without discrimination in the operation of the Interim Administrative Structure:-

- I The Interim Administrative Structure shall function in committees.
- ii. There shall be appointed Committee Chairs, Deputy Committee Chairs and Committee Membership to all committees.
- iii. Key decisions and legislations should be proofed to ensure that they do not infringe the fundamental rights enshrined in the constitution
- iv. Any decision of the interim Administrative Structure should not be valid.
  - a. If it prohibits to restrict the free exercise for any religion.
  - b. If it makes persons of any community or religion liable to disabilities. or restrictions to which persons of other communities or religions are not made liable, or
  - c. confer on any person or community or religion any privilege or advantage which is not conferred on person of other communities or religions, or
  - d. alter the constitution of any religious body except with the consent of the governing authority of that body (similar to Section 29 of the Soulbury constitution)
- v. The following key decisions and directives that may affect one or more minority communities of the North-East not to be valid except with a double majority.
  - a. Election of the Deputy Chairman of the Interim Structure
  - b. Election of the President of the Committee of the Interim Administrative Structure Committee

- vi Deputy Chairman of the Interim Administrative Structure also to be a member of the Chief Ministers Conference as well as the Land and Water Use Board.

### **COMMITTEES AND THEIR SIZE**

- i. There shall be a minimum of eleven (11) committees for the Interim Administrative Structure.
- ii. Out of the eleven (11) committees, Four (4) shall consist of members of the first minority of the North-East.
- iii. There shall be at least one (1) committee from the second minority of the North-East.
- iv. The Deputy Chairman of the Interim Administrative Structure and the presidents of the Minority communities of the North-East should have the confidence of the majority members of their respective committee of the interim Administrative Structure.

### **LAW AND ORDER**

- 1. Whilst the Chairman of the Interim Administrative Structure shall be in over all charge for Law and Order in the Northern and Eastern Provinces – he shall exercise his powers through the Deputy Chairman of the Interim Administrative Structure who will be directly responsible for Law and Order in the traditional Muslim areas.
- 2. There shall be a Police Station in every Local Authority area and the composition of the Police Force shall reflect the ethnic composition of the said Local Authority.
- 3. All Police Stations in the traditional Muslim areas should come under the respective Muslim District Superintendent, Province Senior Superintendent and North-East Deputy Inspector General.

### **BUDGET ALLOCATIONS**

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

- i. The disparity already prevailing in certain under developed areas in the North-East.
- ii. The size of the population and geographic area of the Local Authority.
- iii. The interim Administrative Structure should expend such funds as are allocated to it by the Central Government in accordance with the guidelines provided by the Finance Commission.

- iv. The Interim Administrative Structure should also ensure that minority communities within a particular Local Authority should not in any way be discriminated in the allocation of funds for development.

### **EMPLOYMENT OPPORTUNITIES**

All employment opportunities in the Eastern and Northern provinces shall be given according to the ethnic proportions and merits within each ethnic group of the respective districts in which such vacancies exist.

### **STATE LANDS**

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

### **RESETTLEMENT OF DISPLACED PEOPLE**

The Interim Administrative Structure shall ensure quickly as possible to re-settle and rehabilitate all those people who have been displaced since the beginning of the ethnic strife.

It shall also be the duty of the Interim Administrative Structure to reconstruct the lives of the displaced people and enable them to re-possess their lost residential and business properties agricultural lands and compensation for the losses suffered.

### **CULTURAL COMMITTEES**

1. There shall be established three (3) cultural committees one each in respect of Tamil, Muslims and Sinhalese Communities in the North-East.
2. All members of the interim Administrative Structure belonging to one ethnic community shall ipso facto constitute the cultural committee of the said community.
3. The cultural committee shall function under the respective chairperson elected by the members of the respective communities.

4. All heads of local authorities belonging to the same community within the region could also take part in the deliberations of the cultural committees.
5. A Cultural Committee in addition to religious and cultural matters may also discuss and decide on any other matters of common interest of the said community in the region.
6. The interim Administrative Structure shall in the Annual Budget allocate specified sums of money at the Independent disposal of each cultural committee for the benefit of the development of the different cultures of the communities in the region.

### **EQUALITY COMMISSION**

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

### **INTERNATIONAL HUMAN RIGHTS MONITORING MISSIONS**

International Human Rights Monitoring Missions should be established to monitor human right violation during the period of Interim Administrative Structure

### **THE TWO SEPARATE INTERIM ADMINISTRATIVE STRUCTURES IN THE NORTH-EAST**

**At the expiration of the three year period from the commencement of the constitution of the North-East Interim Administrative Structure, there shall be Two (2) separate Administrative Structures in the North-East established for a further period of two years**

1. **A predominant Tamil unit called North-East Administrative Structure comprising the combined Northern and Eastern provinces but excluding the areas covered by Muslim unit called South East Administrative Structure.**
2. **A predominant Muslim unit called South East Administrative Structure comprising the three predominant Muslim Electorates Pottuvil, Kalmunai and Sammanthurai in the Ampara District and the non-contiguous traditional Muslim Areas in the Batticaloa, Trincomalee Mannar and Jaffna Districts.**



## 2002 POPULATION OF EASTERN PROVINCE

	Ampara	%	Batticaloa	%	Trincomalee	%	Total	%
Muslim	245089	41.58	113473	36.13	137453	38.76	496015	39.38
Tamil	110590	18.77	195689	62.30	112007	31.58	418286	33.25
Sinhala	231771	39.32	2439	0.78	103808	29.27	338018	26.95
Other	1894	0.33	2487	0.79	1285	0.36	5666	0.46
<b>Total</b>	<b>589344</b>	<b>100.00</b>	<b>314088</b>	<b>100.00</b>	<b>354553</b>	<b>100.00</b>	<b>1257985</b>	<b>100.00</b>

Source: Divisional Secretariats

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**AMPARA DISTRICT**

POPULATION - 2001

DS DIVISION	Total Population	%	Sinhalese	%	Muslims	%	Tamil	%
Addalaichchenai	35778	100.00	1857	5.19	33318	93.12	603	1.69
Akkaraipattu	34958	100.00	239	0.68	33679	96.34	1040	2.97
Pottuvil	28278	100.00	952	3.37	21669	76.63	5657	20.00
Nintavur	24648	100.00	5	0.02	23320	94.61	1323	5.37
Kalmunai	69835	100.00	318	0.46	42924	61.46	26593	38.08
Sainthamaruthu	24014	100.00	26	0.11	23982	99.87	6	0.02
Irakkamam	11401	100.00	799	7.01	10206	89.52	396	3.47
Sammanthurai	50803	100.00	281	0.55	43700	86.02	6822	13.43
Aalayadivembu	22256	100.00	351	1.58	111	0.50	21794	97.92
Navithanveli	17322	100.00	501	2.89	5327	30.75	11494	66.35
Karaitivu	16161	100.00	179	1.11	5953	36.84	10029	62.06
Thirukkovil	23697	100.00	241	1.02	24	0.10	23432	98.88
Ampara	37768	100.00	37251	98.63	334	0.88	183	0.48
Damana	34721	100.00	34497	99.35	182	0.52	42	0.12
Dehiattakkandiya	62025	100.00	61840	99.70	122	0.20	63	0.10
Lahugala	7579	100.00	6910	91.17	33	0.44	636	8.39
Maha Oya	18022	100.00	17926	99.47	80	0.44	16	0.09
Padiyathalawa	15647	100.00	15539	99.31	88	0.56	20	0.13
Uhana	52127	100.00	52059	99.87	37	0.07	31	0.06
<b>Total</b>	<b>587040</b>	<b>100.00</b>	<b>231771</b>	<b>39.48</b>	<b>245089</b>	<b>41.75</b>	<b>110180</b>	<b>18.77</b>

**PARLIAMENT REPRESENTATION - AMPARA DISTRICT**

Trincomalee	1989				1994				2000				2001			
	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic
UNP	62600	29.29	3	2S 1M	78787	32.72	3	S	101628	38.09	2	S	58468	20.16	1	S
SLMC	61325	28.69	1	M	75092	31.18	2	M	-	-	-	-	75257	26.85	3	M
TULF/TNA	43424	20.32	1	T	24526	10.19	-	-	-	-	-	-	48789	17.41	1	T
SLFP/PA	45400	21.24	1	S	54150	22.49	1	S	136423	51.13	4	1S 3M	65246	23.28	2	1S 1M
Independent	-	-	-	-	-	-	-	-	19812	7.42	1	T	-	-	-	-
Reg. Votes	265768	-	-	-	312036	-	-	-	352537	-	-	-	360497	-	-	-
Votes not cast	41327	15.55	-	-	58534	19.76	-	-	69216	19.64	-	-	63057	17.50	-	-
Votes cast	224441	84.45	-	-	253502	81.24	-	-	283321	80.36	-	-	297440	82.50	-	-
Rejected	10727	4.78	-	-	12736	5.02	-	-	16521	5.83	-	-	17225	5.79	-	-
Valid votes	213714	95.22	-	-	240766	94.98	-	-	266800	94.17	-	-	280215	94.21	-	-

Source: Divisional Secretariats

**PARLIAMENT REPRESENTATION - BATTICALOA DISTRICT**

Trincomalee	1989				1994				2000				2001			
	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic
Political Parties & Independent Groups																
TULF/TNA	55131	35.49	3	T	78516	43.95	3	T	54448	29.20	2	T	86284	48.17	3	T
SLMC/NUA	36867	23.73	1	M	31072	17.84	1	M	53646	28.77	1	M	26725	14.92	1	M
PA	4130	2.66	-	-	-	-	-	-	16510	9.29	1	T	25705	14.35	1	M
UNP	11317	7.28	-	-	23244	13.35	1	M	13165	8.86	1	M	22638	12.63	-	-
Independent	46419	29.88	1	T	-	-	-	-	-	-	-	-	-	-	-	-
Reg. Votes	216574	-	-	-	261898	-	-	-	275185	-	-	-	282079	-	-	-
Votes not cast	47290	31.86	-	-	72279	27.60	-	-	97539	28.26	-	-	89696	31.80	-	-
Votes cast	169284	78.14	-	-	189619	72.40	-	-	177646	71.74	-	-	192383	68.20	-	-
Rejected	13923	8.22	-	-	13531	7.13	-	-	11505	5.67	-	-	13275	6.90	-	-
Valid votes	155361	91.78	-	-	176088	92.87	-	-	176441	94.33	-	-	179108	93.10	-	-

Source: Divisional Secretariats

## TRINCOMALEE DISTRICT

POPULATION - 2001

DS DIVISION	Total Population	%	Sinhalese	%	Muslims	%	Tamil	%
Kinniya	55593	100.00	6	0.01	53467	96.18	2120	3.81
Kuchchaweli	22590	100.00	1151	5.10	15366	68.02	6073	26.88
Thambalagamam	14799	100.00	5829	39.39	4092	27.65	4878	32.96
Town & Gravets *	20308	100.00	11821	58.21	4473	22.03	4014	19.77
Echchilampattu *	-	-	-	-	-	-	-	-
Gomarankadawala	5105	100.00	5082	99.55	5	0.10	18	0.35
Kantalai	40675	100.00	32129	78.99	6905	16.98	1641	4.03
Morawewa	4324	100.00	3581	82.82	-	-	743	17.18
Padavisiripura	10915	100.00	10915	100.00	-	-	-	-
Seruvawila *	6996	100.00	6798	97.17	41	0.59	157	2.24
<b>Total</b>	<b>181305</b>	<b>100.00</b>	<b>77312</b>	<b>42.64</b>	<b>84349</b>	<b>46.52</b>	<b>19644</b>	<b>10.83</b>

\* incomplete

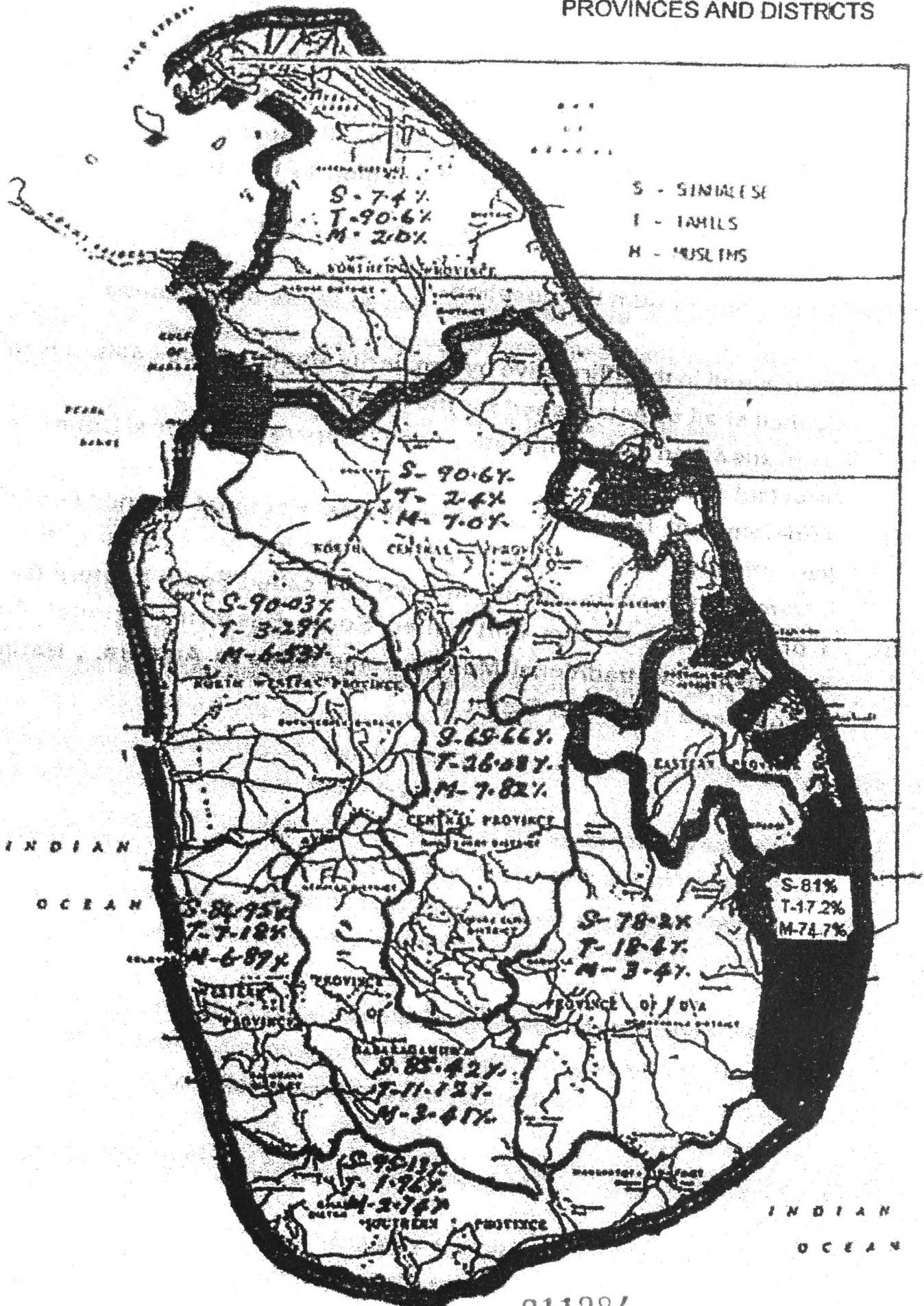
**PARLIAMENT REPRESENTATION - TRINCOMALEE DISTRICT**

Trincomalee	1989				1994				2000				2001			
	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic	Votes Received	%	Seats	Ethnic
Political Parties & Independent Groups																
UNP	22450	2.1	1	M	34986	29.16	2	1 M	46700	35.08	1	M	62930	39.05	2	2 M
TULF/TNA	-	-	-	-	28380	23.66	1	1 S	14090	10.58	-	-	56121	34.82	1	T
SLMC/NUA	17884	17.61	-	-	26903	22.43	1	T	-	-	-	-	-	-	-	-
SLFP/PA	22996	22.61	1	S	23886	19.19	-	M	53860	40.46	3	2 M	32997	20.47	1	S
Independent	25239	24.86	2	1 M	-	-	-	-	-	-	-	1 S	-	-	-	-
Reg. Votes	152289			1 T	184090	-	-	-	206884	-	-	-	212280	-	-	-
Votes not cast	45833	30.1	-	-	57466	31.22	-	-	65112	31.47	-	-	42713	20.13	-	-
Votes cast	106456	69.9	-	-	126624	68.78	-	-	141772	68.53	-	-	169567	79.87	-	-
Rejected	4878	4.58	-	-	6682	5.27	-	-	8642	6.1	-	-	5429	4.97	-	-
Valid votes	101578	95.42	-	-	19942	94.73	-	-	133130	93.9	-	-	161138	96.03	-	-

Source: Divisional Secretariats

# MAP SHOWING TRADITIONAL MUSLIM HOME LAND IN THE NORTH-EAST AREAS FOR MUSLIM MAJORITY POWER SHARING UNIT

PROVINCES AND DISTRICTS



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