

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

- 1. Are there any reports of Muslim politicians facing ill-treatment by the government, or any other actor, for speaking out against the government/opposing the government?**
- 2. Is it common for Muslims in Sri Lanka to speak Tamil?**
- 3. Is there any information about Tamil-speaking Muslims being under suspicion by the government?**

**RESPONSE**

- 1. Are there any reports of Muslim politicians facing ill-treatment by the government, or any other actor, for speaking out against the government/opposing the government?**

Sources referred to did not mention ill treatment targeted at certain politicians because they were Muslim. Most painted Muslim politicians as speaking out in favor Muslim interests, sometimes against the government. A December 2007 *LankaNewspapers* article provides background information to the formation of Sri Lanka's main Muslim party, the Sri Lanka Muslim Congress (SLMC) and its first leader stating that:

The dominant Sinhala political class had been long used to pliable Muslim politicians of both green and blue hues. Ashraff was different and stridently independent ('Muslim Terrorism Soon, Courtesy JHU' 2007, *LankaNewspapers*, 18 December [http://www.lankanewspapers.com/news/2007/12/22758\\_space.html](http://www.lankanewspapers.com/news/2007/12/22758_space.html) – Accessed 12 November 2009 – Attachment 1).

The SLMC 2009 website provides further background on the party as well as its objectives. A further news article (two are here) discusses the creation of a new Muslim party, the All Ceylon Muslim Congress (ACMC) in 2008 (Sri Lanka Muslim Congress 2009, 'Objectives of Sri Lanka Muslim Congress', 27 February – Attachment 2; 'Another political party in Sri Lanka to strengthen Muslim voice' 2008, *Colombo News Page*, 27 November – Attachment 3).

A 2009 UK Home Office report discusses the SLMC:

The SLMC was formed to represent the Tamil-speaking Muslim population of the Eastern province and was organised as an all-island party in 1986. Led by Rauf Hakeem. At the 2 April 2004 elections for the National Assembly the party won five seats (UK Home Office 2009, *Country of origin information report: Sri Lanka*, 26 June – Attachment 4).

The US Department of State (US DOS) report on human rights in Sri Lanka for 2003 includes an account of the killing of twelve SLMC supporters, allegedly at the behest of People's Alliance party politician:

On election day in December 2001, 12 supporters of the Sri Lankan Muslim Congress were killed, allegedly by hired thugs of a PA candidate. Former PA Member of Parliament Anuruddha Ratwatte and his two sons were indicted for conspiring in the killings. In addition, 15 others, including security force personnel, were indicted for their alleged involvement in the murders. In June, Ratwatte and 14 others were granted bail by a 5-judge bench of the Supreme Court, setting aside the majority order of the High-Court-Trial-at-Bar (US Department of State 2004, *Country Reports on Human Rights Practices for 2003 – Sri Lanka*, February, Section 3 – Attachment 5).

In January 2006 the *BBC* reported that the High Court in Sri Lanka had acquitted the PA politician and his two sons. The Colombo High Court acquitted eight accused including five Sri Lanka Army soldiers, while five other soldiers (former security guards of minister Ratwatte), were sentenced to death for the murders ('Ratwatte acquitted on murder case' 2006, *BBC News*, 20 January [http://www.bbc.co.uk/sinhala/news/story/2006/01/060120\\_ratwatte.shtml](http://www.bbc.co.uk/sinhala/news/story/2006/01/060120_ratwatte.shtml) – Accessed 12 November 2009 – Attachment 6).

In July 2009, an article on *The South Asian* website discussed Muslims forming armed groups (further details in Question 3). These groups were said to be in existence as a result of "Muslim politicians maintain[ing] these armed groups for their survival" suggesting a threat to the survival of Muslim politicians ('Armed Muslim Groups In Sri Lanka Concerns Govt.' 2009, *The South Asian*, 21 July [http://www.thesouthasian.org/archives/2009/armed\\_muslim\\_groups\\_in\\_sri\\_lan.html](http://www.thesouthasian.org/archives/2009/armed_muslim_groups_in_sri_lan.html) – Accessed 12 November 2009 – Attachment 7).

An article by Yvonne Ridley on her pro-Islamic website comments on Sri Lanka's Muslim politicians:

The Muslim politicians I met - all men - had the backbones of sticky toffee pudding and were more concerned about their political careers in government than the plight of their brothers and sisters...a bit like the pathetic few we have in European parliaments (Ridley, Y. 2006, 'The Plight of Sri Lankan Muslims', Yvonne Ridley website, 11 September - [http://yvonneridley.org/index2.php?option=com\\_content&do\\_pdf=1&id=27](http://yvonneridley.org/index2.php?option=com_content&do_pdf=1&id=27) – Attachment 8).

## Threats facing Politicians in General

The previously mentioned 2009 UK Home Office report cites an International Crisis Group report discussing the concentration of power and the lack of freedom of expression as a result. It maintains that “high profile politicians remain top targets”:

“Political power is concentrated in the hands of the president, his three brothers, a few close supporters and the military leadership. An uncompromising attitude has taken hold of many senior officials and officers. In the name of patriotism, and out of a mix of Sinhala nationalism and determination to retain power, dissent is increasingly equated with treason. Publicly questioning government policies has become dangerous. Under the 1978 constitution, the president has extraordinary powers and is difficult to remove from office. Rajapaksa has taken the defence, finance and nation-building portfolios. His brother, Gotabhaya, is defence secretary and runs that ministry’s day-to-day operations; brother Basil, a parliamentarian and presidential adviser, manages the nation-building ministry; brother Chamal is minister for irrigation and water management and ports and aviation. Two thirds of the national budget comes under ministries controlled by the four brothers.” [76d] (p15)

15.03 The ICG report of February 2008 further noted:

“The opposition is also targeted. In late 2007, the TMVP kidnapped relatives to prevent TNA parliamentarians from voting against the government budget. They abstained and the budget passed. ‘The pressure and threats ... were well beyond what can be tolerated in a democratic setup’, a Western diplomat said. ‘The government is making liberal use of death threats to keep people in line’. A Tamil parliamentarian who led the campaign against disappearances and abductions went into self-imposed exile after his police security detail was cut.”

...High profile politicians remain top targets, and any assassination attempts are normally immediately attributed to the LTTE, although perpetrators are rarely caught and in the aftermath, rumours abound and the press point accusations at other groups (UK Home Office 2009, *Country of origin information report: Sri Lanka*, 26 June – Attachment 4).

## **2. Is it common for Muslims in Sri Lanka to speak Tamil?**

Sources suggest that Muslims in Sri Lanka have their own ethnic identity as descendents of Arabs, but generally speak Tamil or Sinhala depending on where they live on the island. The majority live in Tamil speaking areas in the East. The above mentioned UK Home Office report states that:

20.01 The CIA World Factbook, Sri Lanka, updated in June 2009, recorded that the population is comprised of Sinhalese (73.8 per cent), Sri Lankan Moors (Muslims) 7.2 per cent, Indian Tamil 4.6 per cent, Sri Lankan Tamil 3.9 per cent, other 0.5 per cent and an unspecified 10 per cent (2001 census provisional data) .

...More than one-third of Muslims (includes Sri Lankan Moors, Malays and other smaller religious sects like Bhoras and Khojas) live in the north and East. The majority of these live in the East, where they constitute about a third of the population. The remaining Muslim community is dispersed throughout the urban centres of Sri Lanka. Muslims are also divided between mainly agriculturists living in the East, and traders who are dispersed across the island. Muslims speak both Tamil and Sinhalese depending on the area they live in (UK Home Office 2009, *Country of origin information report: Sri Lanka*, 26 June – Attachment 4).

McGilvray and Raheem in a 2007 paper for the East-West Center, Washington, mention that Sri Lankan Muslims have their own identity, separate from the Sinhalese and Tamils:

In the postindependence period, the Muslim leadership at the national level abandoned their colonial identity as Arabs ("Moors") and adopted a religious identity as Muslims, clearly defining their ethnicity as neither Sinhala nor Tamil (McGilvray, D. & Raheem, M. 2007 'Muslim perspectives on the Sri Lankan conflict', East-West Center Washington <https://www.policyarchive.org/handle/10207/17476> - Accessed 13 November 2009 – Attachment 9).

An article by Ameer Ali originally published in the *Journal of Muslim Minority Affairs* in 1997 also states that the “that the Muslim community had a separate identity and that they were neither Tamils nor Sinhalese but Moors of Arab origin”:

The Tamil political leadership in Sri Lanka has a long history of anti-Muslim stance. Late in the 19th century, Ponnambalam Ramanathan, the Tamil member in the Ceylon Legislative Council, tried hard to deprive the Muslim community of a Muslim membership in that council by arguing that the Muslims had no separate ethnic identity, that they were Tamils in origin and that their interests were already looked after by the Tamil member who was Ramanathan himself.[7]

In fact, it was against this claim by Ramanathan that the Muslim elite of that time was provoked to establish the counterclaim that the Muslim community had a separate identity and that they were neither Tamils nor Sinhalese but Moors of Arab origin.[8] Later in 1915, when the Sinhalese-Muslim racial riots broke out it was the same Ramanathan who led a delegation on behalf of the Sinhalese to the King of Britain, blamed the Muslim community entirely for the riots and later appeared in the Ceylon Supreme Court to plead on behalf of the accused Sinhalese rioters.[9] Ramanathan, an intellectual product from the Jaffna vellala caste, was the acme of the Tamil anti-Muslim stance. The Muslim feeling of mistrust of Tamil leadership generated by these early episodes did not however percolate to the level of the Muslim masses until after independence when parliamentary democracy on the Westminster model came into operation (Ali, A. 1997, 'The Muslim Factor in Sri Lankan Ethnic Crisis', Tamil Nation website, October - <http://www.tamilnation.org/tamileelam/muslims/ameer.htm> - Accessed 12 November 2009 – Attachment 10).

The Muslim population is widely dispersed throughout the country, with the largest percentage living in the East. At the time of the 2001 census, Muslims constituted 41.3 per cent of the Eastern district of Ampara ('Number and percentage of population by district and religion', Census of Population and Housing 2001, Sri Lankan Department of Census and Statistics website <http://www.statistics.gov.lk/PopHouSat/PDF/Population/p9p9%20Religion.pdf> – Accessed 16 November 2009 – Attachment 11).

A 2006 International Crisis Group report comments on the difficult position of the Muslim communities in Sri Lanka's conflict, and states that “Muslims have a bitter joke about their role in the conflict: ‘It's like a football match. One side is the LTTE, the other is the government. We Muslims are the football’” (International Crisis Group 2006, 'Sri Lanka: The failure of the peace process', ICG website, 28 November [http://www.crisisgroup.org/library/documents/asia/south\\_asia/sri\\_lanka/124\\_sri\\_lanka\\_the\\_failure\\_of\\_the\\_peace\\_process.pdf](http://www.crisisgroup.org/library/documents/asia/south_asia/sri_lanka/124_sri_lanka_the_failure_of_the_peace_process.pdf) – Accessed 12 November 2009 – Attachment 12).

### **3. Is there any information about Tamil-speaking Muslims being under suspicion by the government?**

News articles, political websites and government sources did not reveal any information to suggest Muslims being under suspicion by the Sri Lankan Government because they spoke Tamil. In general, Muslims were said to be more supportive of the Government than of the LTTE and, during the war, had felt safer in Government controlled areas as opposed to LTTE controlled areas. Some information was found suggesting the existence of armed Muslim groups which some alleged were supported by certain politicians. There were limited reports of violence between Muslims and police or the Sinhalese community.

The previously mentioned July 2009 article on *The South Asian* website discussed attempts by the Government to disarm militant Muslim groups following the end of the war. The article goes on to say that “the Muslims armed themselves due to the suffering they underwent at the hands of the LTTE, not to oppose the government or to carve out a separate state”:

Last week, this newspaper revealed that after the defeat of the LTTE, the security forces are now preparing to disarm armed Muslim extremist groups now raising their heads in the Eastern Province. Security forces are of the view that these armed extremist groups will be the next terrorist threat to be faced by Sri Lanka and the terrorism unleashed by these groups maybe far more brutal than that of the LTTE.

According to information received by military intelligence, a large number of armed Muslim extremist groups are at present operating secretly in the Eastern Province. The more prominent of these groups are known by names such as Jihad, Osama and Mujahib. In addition, there are also some armed extremist groups operating in the East which use the names of certain prominent politicians and are being sponsored by these same politicians of the Eastern Province.

...Intelligence agencies also say that another armed group which has the blessings and support of these extremists groups is operating in Puttalam, led by a politician.

Security forces also now have evidence that certain underworld gangs operating in Colombo also maintain connections with the armed Muslim extremist groups in the East. Muslim underworld groups in the Maligawatta and Slave Island areas received most of their weapons from the extremist groups in the province.

On information from intelligence agencies that there was a possibility of these armed Muslim extremist groups organizing and rebelling together, the security forces attention has turned to them with a vigour never seen before.

The arrest of 7 persons with a large haul of weapons belonging to armed extremist groups by the Kaththankudi police confirms this situation. The haul included 7 T56 weapons, 1 LLR firearm, 3 hand grenades, 1 anti-personal mine and a walkie-talkie.

During police questioning, the suspects said that 200-250 persons were members of armed Muslim extremist groups in the Kaththankudi area possessing an assortment of weapons handed over to them by the LTTE whilst retreating from the East. Some were sold to them. The Muslim extremists had bought T56 weapons for less than Rs 5000 per firearm.

When one time LTTE commander and current government Minister Vinayagamoorthi Muralitharan alias Karuna Amman broke away from the LTTE, members of these groups received weapons from cadres who broke away with him.

“The Muslims armed themselves due to the suffering they underwent at the hands of the LTTE, not to oppose the government or to carve out a separate state. Some politicians started to use these groups to further their own political agendas. This is why armed Muslim extremist groups have now raised their heads in the Eastern Province. If Muslims continue to bear weapons, they will be a threat to national security. We need to disarm them,” said an intelligence officer who is tracking these armed Muslim groups. Significantly, this officer is himself a Muslim.

According to him only one Muslim armed group -Jihad- operated in the Eastern Province in the beginning. “Jihad started its operations on a small scale during the late 80s and became more powerful during the period 90-94 with the blessings of a prominent Muslim politician.

...Survival

Muslim politicians maintain these armed groups for their survival. Some groups are said to be maintained by Muslim businessmen and Hajiars in the East. Security forces have received information that they are maintaining these groups with the aim of furthering their businesses. However, that does not mean that they don't engage in contract killings and armed robberies once in a while.

Batticaloa DIG Edwin Gunathilaka was entrusted with the task of disarming such Muslim extremist groups.

...Accordingly, the DIG commenced the task by convening meetings involving highly respected personalities in the Muslim community including Muslim politicians, VIPs, Hajiars and Muslim religious leaders. He explained to them the dangers of armed extremism.

...During his speech at the meeting, DIG Gunathilaka also issued a warning, stating that if armed groups do not take steps to hand over their weapons to the security forces, then he will be reluctantly compelled to take stern action against them. The warning vaguely alluded to certain persons present who are known to back these armed groups.

At the end of the meeting, the Muslim community urged that an amnesty period be declared for armed Muslim groups to hand over their weapons. They assured that arrangements will be made towards this end and implored the security forces not to take any action until this had been done.

Security forces officers, including DIG Edwin Gunathilaka agreed to this request. Accordingly, an amnesty was declared for Muslim armed groups to hand over their weapons...Security forces are already formulating plans to conduct operations against all Muslim armed groups which do not hand over their weapons by this date ('Armed Muslim Groups In Sri Lanka Concerns Govt.' 2009, *The South Asian*, 21 July [http://www.thesouthasian.org/archives/2009/armed\\_muslim\\_groups\\_in\\_sri\\_lan.html](http://www.thesouthasian.org/archives/2009/armed_muslim_groups_in_sri_lan.html) – Accessed 12 November 2009 – Attachment 7).

A subsequent article by *Deutsche Presse Agentur* in July 2009 reported that the Government had taken action following a poor response to the amnesty:

Colombo – Police launched a crackdown on Muslim militants in eastern Sri Lanka when a deadline to surrender illegal weapons ended, a police spokesman said Sunday. The grace period to surrender weapons ended Saturday with a poor response, producing less than 25 weapons out of an estimated cache of more than 10 times that much, deputy police inspector general Edison Gunatillake said.

Security forces were pursuing militants identified as "jihadist groups" operating in the Kattankudy area, 303 kilometres East of Colombo.

The operation follows less than two months after government troops crushed the rebels of the Liberation Tigers of Tamil Eelam (LTTE) in the northern and eastern parts of the country.

The Muslim militant groups have so far not come out in the open, but during occasional incidents some of the rival groups have clashed in the eastern province or have been involved in criminal activities ('Police crack down on Muslim rebels in eastern Sri Lanka' 2009, *Deutsche Presse Agentur*, 5 July – Attachment 13).

However, pro-Tamil website, Tamil Canadian, repeated LTTE allegations that the Sri Lankan and Pakistani Governments were involved in supporting Islamic militant groups in the island's East:

Amid a furore over the Liberation Tigers' demands that Sri Lankan government disarms a Muslim entity called 'Jihad' which is amongst five anti-LTTE paramilitary groups being sponsored by military intelligence, the Sri Lanka Army is reportedly planning to raise an exclusive Muslim unit in the island's volatile eastern province. The issue of Muslim militancy has been gaining focus amid renewed suggestions by the LTTE that Jihad has links to Pakistani intelligence – a charge leveled by Indian military analysts as early as in 2004. The development comes amid a furore after the LTTE, supplying a dossier of evidence, asserted during the talks in Geneva last month, that 'Jihad' in Trincomalee is amongst five paramilitary groups being sponsored by Sri Lankan military intelligence.

...The SLA has meanwhile rejected LTTE accusations it is supporting Jihad. Indeed, the military – like the Sri Lankan government – flatly rejects connection with any of the paramilitary groups blamed for a series of attacks on LTTE personnel and murders of LTTE supporters ('Army plans new Muslim unit amid militancy furore' 2006, Tamil Canadian website, 28 March <http://www.tamilcanadian.com/page.php?cat=537&id=3936> – Accessed 12 November 2009 – Attachment 14).

A more recent article in the *Daily Mirror* reports on charges leveled by the SLMC against an unnamed Government Minister of arming Muslim groups in the East:

The SLMC charged in Parliament yesterday that a certain Government minister representing the East had armed some Muslim youths to achieve his aims.

Speaking during the emergency debate, SLMC leader MP Rauf Hakeem made this allegation quoting a report compiled recently by the University Teachers Human Rights Association (UTHRA) ('Govt. minister arming Muslim youth: Hakeem' 2008, *Daily Mirror*, 7 August – Attachment 15).

In a 2001 report, the Immigration and Refugee Board of Canada discussed the “worrying evidence about the growth of a Muslim fundamentalist group within the Muslim community in the Eastern Province” (Immigration and Refugee Board of Canada 2001, LKA37591.E – *Sri Lanka: Update to LKA27504.E of 4 September 1997 on the situation and treatment of Tamil-speaking Muslims, particularly in Colombo (September 1997-August 2001)*, 31 August – Attachment 16).

A September 2009 *BBC* article by Haviland, cites protests by Muslims against alleged brutality by police against their community. Police responded that they were only cracking down on criminals and there was no ethnic bias in their actions:

Dozens of Muslims have staged a protest in the Sri Lankan capital, Colombo, at what they say is police brutality against members of the community.

...In the past few weeks the police have announced the killing of men they describe as underworld figures, usually in encounters on the street.

The police in the capital say that they are engaged in a necessary clampdown on organised crime.

Once Friday prayers ended at the Friday Mosque in the Muslim area of Maligawatta, several dozen men and women marched down the street, shouting anti-police slogans.

...Police argue the incidents have nothing to do with ethnicity and say that they are cracking down on criminals.

Some demonstrators said more than 16 people had died in this way and that some of the victims were not criminals, but pointed out that even criminals should be treated with due legal process.

"They don't have the right to kill those people - there should be a law, courts of law. Actually it's a jungle of the law.

"So we want show the government, the entire world, that there is no law in this country," MN Abuakbar who works for a local human rights organisation, said.

The government is unapologetic. It says it wants to use the same resources it used against the now defeated Tamil Tigers, against the underworld.

It says police have been killing criminals in self-defence when they have drawn guns. The media are mostly supportive (Haviland, C. 2009, 'S Lanka Muslim protest at police', *BBC*, 4 September – Attachment 17).

A 2001 article in *The Sunday Times* discussed violence involving Muslims and Sinhalese in Mawanella which “left two people dead and more than 100 shops or residences damaged”. It was alleged that “[d]espite complaints to the Police in the area little or no action had been taken against the heavily-armed gang which received full protection from the PA politician.” The article also quotes SLMC leader, Rauf Hakeem, who said that “the trouble had erupted due to police apathy and inaction resulting from political pressure or patronage” (‘Who set Mawanella aflame?’ 2001, *The Sunday Times*, 6 May – Attachment 18).



## Relations with Tamils

Sources revealed that Muslims were generally opposed to Tamil aspirations for a separate state, were the victims of LTTE attacks and that there were significant tensions between the Tamil community and Muslims. The United States Bureau of Citizenship and Immigration Services stated in a 2003 report that Muslims were generally not targeted by the Sri Lankan Government, but that it was difficult to determine the extent to which a Muslim suspected of supporting the LTTE would be targeted due to the instability at the time:

Sources do not indicate that Moors face systematic mistreatment by the Sinhalese-dominated government (Mills 16 Jul 2003; U.S. DOS 18 Aug 2003; HRW 18 Aug 2003). The Research Directorate of the Canadian Immigration and Refugee Board cited a news article in stating that the Muslim population's dominance in Sri Lanka's trade and business sectors "has reportedly led to feelings of jealousy and animosity among some members of the country's Sinhalese population" (IRB-RD 31 Aug 2001). In an e-mail to the RIC, however, the senior research associate at the German Institute stated instead that "[t]his may be applicable only to specific sectors like the gem industry" and that "[n]owadays, the socio-economic situation of the majority of the Muslims is not better than for the Sinhalese and Tamils" (Senior Research Associate 20 Aug 2003).

One news article quotes a Muslim former school principal as stating: "...the Sri Lankan Government has generally been fair to us and Muslims living in Sinhalese majority areas face no problems" (Rahman 9 Aug 2003). Another article, however, highlights Muslim frustration over the fact that so far the peace process has not acknowledged their security needs vis a vis the LTTE. The article states: "The Muslim youth in several parts of Sri Lanka may soon form their own anti-LTTE suicide 'Osama squads' to fight the discrimination meted out to them by the Tamil extremists. With indiscriminate killings and abductions of the Muslim community by the LTTE reported in the Eastern province, undercurrents of anxiety verging on desperation have been increasing in momentum on the West coastline among its peace-loving members.... Already Muslim youth in Batticaloa have formed the Ossama [sic] squads since fair play is not ensured for the community in the embattled north and East" (TIMES OF INDIA 19 Aug 2003).

The senior research associate specializing in Sri Lanka at the German Institute told the Resource Information Center in a telephone interview that, given the current instability in Sri Lanka, it is very difficult to predict whether a Moor who may have been targeted by Sri Lankan government forces for allegedly assisting the LTTE would be at risk upon return to Sri Lanka. He stated that it would depend in part on how "sensitive" government forces viewed the alleged assistance to be (Senior Research Associate 13 Aug 2003). He said he feels that it would be more dangerous to return if one had been targeted by the LTTE, but he indicated that the situation in Sri Lanka is difficult and changeable. He also said observers are still hopeful that peace negotiations between the government and the LTTE will soon move forward (Senior Research Associate 13 Aug 2003).

A U.S. Department of State South Asia Specialist interviewed by the Resource Information Center said he agrees with the Senior Research Associate that one would generally have more to fear from LTTE forces rather than from Sri Lankan government forces (United States Bureau of Citizenship and Immigration Services 2003, LKA03002.ZCH - Sri Lanka: Information on Moors, Particularly in Beruwala, 20 August – Attachment 19).

The above mentioned 1997 article by Ameer Ali detailed the history of Muslim and Tamil relations in the context of the Tamil separatist struggle, arguing that “in spite of the language affinity with the Tamils, the Muslims are obviously not sympathetic towards a division of the country along ethnic lines”:

To begin with, in spite of their one-third concentration in the Tamil districts and in spite of the language affinity with the Tamils, the Muslims are obviously not sympathetic towards a division of the country along ethnic lines. Being a community with a historical identity with trade and commerce it will understandably prefer a united Sri Lanka rather than a divided nation because the former provides a wider market. This economic rationale for the Muslim opposition to divide the nation cannot, however, be taken too far because the economic position of the community itself has changed since the sixties, from one of mainly traders to one of peasants, labourers and professionals.

...A more serious reason for the Muslim opposition to the Tamil armed struggle, however, has to be sought in the strenuous political relationship between the two communities since the beginning of this century. The history of this relationship provides the backdrop to the present political impasse between the Tamils and Muslims.

The Tamil political leadership in Sri Lanka has a long history of anti-Muslim stance.

...Sri Lanka gained independence immediately after the creation of Pakistan in 1947 whose bloody birth deeply wounded Hindu-Muslim harmony in the Indian subcontinent. Although the Indo-Pakistan struggle did not have any direct impact on the communal politics of Sri Lanka, it certainly helped to keep alive the Muslim mistrust of the Tamil leadership who were mostly Hindus at that time and who obviously placed their sympathies with Hindu India. During the post-independence era it was the Federal Party, under the leadership of S. J. V. Chelvanayakam, E. M. V. Naganathan and A. Amithalingam, all of whom hailed from the Jaffna Peninsula, which championed the cause of the Tamils.

This party, although at times claimed to represent the interests of the Tamil speaking people including the Muslims, was virtually a party of the Tamils for the Tamils and by the Tamils. From its inception the Federal Party suffered from ideological inconsistencies. For example, inside the parliament it demanded a federal political structure, but outside and when addressing its Tamil electors it propagated the concept of 'Tamil Aracu' (Tamil State). Several Muslim parliamentarians who contested and won their parliamentary seats under the Federal Party ticket in the late fifties later deserted that party in disgust because of the party's ideological inconsistencies and the parochial attitude of its leadership. The Federal Party never went out of its way to win the confidence of the Muslims and never treated the Muslims as equal partners in minority politics. The mistrust between the two communities was thus left to continue (Ali, A. 1997, 'The Muslim Factor in Sri Lankan Ethnic Crisis', Tamil Nation website, October - <http://www.tamilnation.org/tamilelam/muslims/ameer.htm> - Accessed 12 November 2009 – Attachment 10).

Articles on the SLMC website took a harsh tone with Tamil separatists, describing ethnic cleansing, attacks, and dispossession of property and land of Muslims by “Tamil terrorists” (Sri Lanka Muslim Congress 2001, 'Between Hammer and Anvil: Sri Lanka's Muslims' <http://www.slmc.org.uk/struggle.htm> – Accessed 12 November 2009 – Attachment 20; Sri Lanka Muslim Congress 2003, 'Muslim Land Rights and Security Question in the North - East' <http://www.slmc.org.uk/rights.htm> – Accessed 12 November 2009 – Attachment 21).

Research Response LKA17723 (question 3) was unable to find information on Muslims being aligned with, or being members of the LTTE. For general information on Muslims' relationship with the LTTE and the Tamil community more generally, see *Research Responses LKA23512* and *LKA22912* (RRT Country Research 2005, *Research Response LKA17723*, 22 December (Question 3) – Attachment 22; RRT Country Research 2005, *Research Response LKA23512*, 1 February – Attachment 23; RRT Country Research 2002, *Research Response LKA22912*, 16 December – Attachment 24).

The 2008 US DOS report on human rights in Sri Lanka discussed expulsions of Muslims by the LTTE and tensions between the communities:

Tensions were reported between members of the Muslim and Tamil communities in the East as a result of the intimidation and harassment of Muslims by the TMVP. For example, on May 26, 3,000 Muslims in Eravur closed their shops and demonstrated against recent shootings of Muslims in the area. On June 2, the Muslim communities in Kattankudy and Eravur conducted a general strike following the funeral of a Muslim killed in Kallady a day earlier.

Among the long-term displaced were tens of thousands of Muslims evicted from Jaffna in 1990 by the LTTE, many of whom remained in camps in Puttalam (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – Sri Lanka*, February, Section 2 – Attachment 25)

The 2008 US DOS report on religious freedom in Sri Lanka discusses the attacks and expulsion of Muslims from the northern part of the country by the LTTE. It states that “it appears that the LTTE's actions against Muslims were not due to Muslims' religious beliefs but rather that these actions were part of an overall strategy to clear the north and East of persons unsympathetic to the LTTE”:

In 1990 the LTTE expelled approximately 46,000 Muslim inhabitants, virtually the entire Muslim population in the area, from the northern part of the country. Most of these persons remained displaced and lived in or near welfare centers. Although some Muslims returned to the northern city of Jaffna in 1997, they did not remain there due to the continuing threat the LTTE posed. There were credible reports that the LTTE warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. It appears that the LTTE's actions against Muslims were not due to Muslims' religious beliefs but rather that these actions were part of an overall strategy to clear the north and East of persons unsympathetic to the LTTE. The LTTE made some conciliatory statements to the Muslim community, but many Muslims viewed the statements with skepticism. The LTTE later encouraged Muslim internally displaced persons (IDPs) in some areas to return home, asserting they would not be harmed. Although some Muslim IDPs returned home, the majority did not and waited for a government guarantee of safety in LTTE-controlled areas. Since the 2002 Ceasefire Agreement, the LTTE also carried out a number of attacks in the East in which Muslims were killed. No arrests had been made in these cases by the end of the reporting period. Although the Government defeated the LTTE militarily in May 2009, it remained unclear whether these Muslim citizens would soon be able to return to their former homes (US Department of State 2008, *International Religious Freedom Report 2008 – Sri Lanka*, September, Section 2 – Attachment 26).

In a May 2009 article for the international Islamic religion and news site 'Islam Online', Fousdeen states that the expulsion was "widely reputed as an act of ethnic cleansing":

Although the battle was essentially between the government's military, and a band of Tamil guerilla fighters seeking a separate homeland for the Tamils, it is a fact that Muslims living in the conflict zone suffered as collateral over the years. Grimly testifying to this fact are the 90,000 or so Muslims who were expelled from their homes overnight by the Liberation Tigers of Tamil Eelam, LTTE, in 1990. A move widely reputed as an act of ethnic cleansing. Still others were massacred while at prayer in mosques, kidnapped, extorted, and had their wealth robbed at gunpoint, largely in the eastern parts of the country where a majority of Sri Lanka's Muslims live - a boundary that the LTTE claimed as a part of its fictional 'Ealam State' (Fousdeen, F. 2009 'What Next for the Muslims of Sri Lanka', Islam Online website, 28 May -

[http://www.islamonline.net/servlet/Satellite?c=Article\\_C&cid=1242759248678&pagename=Zone-English-Family%2FFYELayout](http://www.islamonline.net/servlet/Satellite?c=Article_C&cid=1242759248678&pagename=Zone-English-Family%2FFYELayout) – Accessed 12 November 2009 – Attachment 27).

The aforementioned 2009 UK Home Office report discusses attacks on Muslims citing an International Crisis Group report:

"Many Muslims continue to feel vulnerable to attacks and extortion from the TMVP and, to a lesser extent, from government security forces. Tensions between Tamils and Muslims, aggravated by the actions of the Pillayan and Karuna factions, remain high. Many remain bitter over the nomination of Pillayan, rather than the Muslim candidate Hisbullah, as provincial chief minister and complain that Tamils continue to control the provincial administration and council." [76a] (p5)

"Violent disputes between Tamils and Muslims have been kept to a minimum since the provincial council elections, but deep tensions remain.

...20.16The UNHCR Eligibility Guidelines of April 2009 noted that "...Muslims in the East have been frequently targeted by the TMVP, which has reportedly harassed, extorted, threatened and killed Muslims in the East, with apparent impunity. Clashes between Government forces and the Muslim community in Ampara have been linked to land use in the region" (UK Home Office 2009, *Country of origin information report: Sri Lanka*, 26 June – Attachment 4).

In a 2007 article, Dr. A.R.M. Imtiyaz from the Department of Political Science, at Temple University, USA, discusses an SLMC politician's opposition to the LTTE:

The Tamil Tigers' approach annoyed the SLMC. Mr. Ashraff's following statement well proved his resentment against the Tamil Tigers:

"If the LTTE is killing us, if the LTTE is leaving us out of our homes, simply because we happen to be Muslims, simply because we say "La ilaha illallahu, Mammmdur-Rasoolullah" because of our belief in Allah and Prophet Muhammed (peace be upon him) ... if that is the only reason, it is the commandment of the Holy Quran that we should declare Jihad against them and kill every LTTEer. We shall now intend to slaughter every LTTEer including Mr. Prabhakaran. In a personal note, I will be the happiest if I can die in battle at the time of slitting the neck of this bloody Prabhakaran (emphasises are not in the original).

With this religio-ethnic emotional baggage, the SLMC had contested several elections since 1988. With the political capital the SLMC earned from the Muslim masses, it primarily employed a strategy of political accommodation, a kind of strategy Colombo-centered Muslim elites adopted to win the Sinhala political class. Ashraff effectively negotiated, and

won key portfolios from the Sinhala ruling parties for the SLMC. He 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 (Imtiyaz, A. 2007 'The Sri Lanka Muslim Congress: The Logic of Politics', Ilankai Tamil Sangam website, 4 October - <http://www.sangam.org/2007/10/SLMC.php?uid=2571> – Accessed 12 November 2009 – Attachment 28).

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International Crisis Group <http://www.crisisgroup.org>  
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