



## **PROFILE OF INTERNAL DISPLACEMENT : SRI LANKA**

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## **PROFILE SUMMARY**

After more than 20 years of a civil war, which has caused the death of more than 64,000 people and displaced over a million people inside and outside the country, Sri Lanka now appears to have firmly set its course on peace and reconciliation.

With the cessation of military activities in early 2002, the government began focusing on the return and resettlement of the estimated 800,000 persons internally displaced by the conflict. It was envisaged that 200,000 IDPs would be returned or resettled by the end of 2002 and the remaining 600,000 by end 2004. The level of returns exceeded expectations as over 230,000 IDPs returned or resettled during 2002, thereby demonstrating the high confidence level of the civilian population in the peace process. (UN IDP Working Group 3 January 2003)

As soon as travel restrictions were lifted in early 2002, displaced persons started returning to their homes – at least temporarily – in order to check on security as well as the state of their lands and other belongings. Still, the presence of landmines and the need for major reconstruction in communities of origin posed serious stumbling blocks to the return process. For some particular groups of displaced persons like the 100,000 Muslims displaced 12 years ago from Jaffna and Mannar to Putallam or the 25,000 Sinhalese displaced by LTTE attacks on the border of the north-east region, return to their home areas is more problematic as security guarantees are asked by these communities before returning to areas which may come under LTTE control in an interim administration. Most of the Muslim IDPs who returned to Jaffna to check on the conditions during 2002 eventually went back to Puttalam to wait for better conditions. (BRC July 2002)

Many issues pertaining to the return and resettlement of the displaced people remain to be addressed, namely the question of the resettlement in the High Security Zones (HSZ) which reflects humanitarian and territorial concerns, but both parties have shown during 2002 their willingness to prioritize negotiations over military confrontation. Although the massive returns of displaced persons is a very positive development, many of the returnees face huge problems upon return to their communities and need a strong support from the government and aid agencies to restart a new life.

## **Figures**

Since the armed campaign for an independent Tamil state began in 1983, there have been repeated and massive displacements of civilians mainly in the north and east. The main areas of displacement include: the Jaffna Peninsula; the 'Vanni'; and the government-controlled or 'cleared' areas of Mannar and Vavuniya districts. The most fortunate were able to migrate down south, living on their own or with relations, while others were displaced within the conflict-affected areas. Of these, some were able to find shelter with friends or relations while the majority was accommodated in "temporary" government-run "Welfare Centers" where some IDPs have now lived for more than ten years. As of July 2002, an estimated 175,000 of the 800,000 displaced persons continued to reside in 346 welfare centres, mainly in the North. (UNICEF 23 July 2002)

Estimates of the total number of IDPs at the end of 2002 were in the area of 800,000 (UNHCR, 29 November 2002). Although some 230,000 are estimated to have returned since January 2002, ongoing displacement, return to extensively damaged property and inhabitable homes as well as incomplete data on the IDPs so far explains why UNHCR prefers to still rely on a 800,000 IDPs working figure.

According to the latest government estimates, some 236,206 IDPs have returned home, relocated elsewhere or are in transit. 133,083 have moved to or within Jaffna district, 41,451 to/within Kilinochchi, 30,572

to/within Mullaitivu, 13,323 to/within Vavuniya, 9,909 to/within Mannar and 7,868 to/within Trincomalee. (UN IDP Working Group 3 January 2003)

### **Cycle of violence has ended but human right violations continue**

One of the main features of Sri Lanka's war has been a pattern of repeated displacement of populations. Many families have been displaced several times, making them increasingly vulnerable and dependent. Generally, displaced persons have avoided taking refuge in welfare centres as their freedom of movement there is severely restricted by a daily pass system. This restriction has hampered their ability to cope independently with their displacement and has, thus, deepened their reliance on food aid.

During the course of 2000, the Government of Sri Lanka stepped up its military response to the Tamil insurgency, declaring new emergency regulations in the country. In this same year, Amnesty International expressed concern about the linkage between these new regulations and increasing reports of alleged torture by military forces (AI, 1 July 2000). Since 2000, there have been regular reports of IDPs 'disappearing' after having been taken into custody from the welfare centres. Other security concerns affecting the displaced have included extra-judicial killings, arbitrary detentions and harassment by soldiers at checkpoints.

Although the ceasefire has ended the cycle of violence, lifted the travel restrictions and allowed for the spontaneous return of thousands of IDPs, there were still reports of continued human right violations, including extortion, protection rackets, child recruitment and abduction in the north and east during 2002. The women and children who make up the large majority of the displaced in Sri Lanka are generally more exposed to violence, discrimination and abuses. A report issued by Amnesty International in January 2002 warned of a rise in rape incidents allegedly perpetrated by police, army and navy personnel during 2001. Many IDPs were among the victims (AI, 28 January 2002). Despite officially adopting the UN policy on recruitment in June 2002, the LTTE was accused of continued recruitment of children and abduction of people during the year as was reported by the SLMM. (India Times 15 August 2002).

According to HRW, decades of fighting and the near total abdication of responsibility for civil administration to armed groups and their patronage networks in the north and east have resulted in an institutionalization of abuse against civilians by the LTTE as well as by pro-government groups. (HRW July 02, pp. 8-9) Critics of the ceasefire agreement and the ongoing negotiations contend that so far there has been little attention paid to the human right concerns and that both parties are more inclined to prevent new abuses than seriously look into those of the past. This might encourage a climate of impunity and heighten the sense of injustice for those who have lost relatives or are still in detention and will certainly not be conducive to reconciliation and accountability.

20 years of fighting and extensive use of landmines has left the country riddled with an estimated 700,000 mines, most of them buried in some of the most heavily populated and most fertile areas, like the Jaffna peninsula and the Vanni. (ICBL August 2002) These landmines are a major concern to the internally displaced resettling in these areas. It is estimated that some 350,000 people have been displaced within or from Jaffna peninsula over the years and that the Vanni is host to some 300,000 IDPs, the majority of which are from the Jaffna peninsula (IDP Unit April 2002).

### **Living conditions in the North**

Throughout the war, the government has maintained a civilian administrative structure in the LTTE-controlled areas in the North (Vanni). However, staff shortages, strict control of supplies and inadequate infrastructure have severely limited the functioning of local services, including health, education, roads and agriculture.

Although the government-imposed embargo on 'war-related material' –in force since 1992 in the rebel-held areas in the North – was eased in early 2002, the humanitarian situation in the Vanni remained worrisome. The embargo meant that the flow of food and non-food items into the area, including essential drugs and medical equipment, fuel and cement were seriously restricted. These restrictions contributed to a general deterioration in medical care and in the provision of food and shelter in the region. Further to the problem of few supplies, many medical professionals and healthcare workers have fled the area, resulting in a severe shortage of doctors, nurses and other medical specialists (MSF 9 February 2002).

A baseline survey conducted by WHO showed that the depletion of human resources combined with the lack of proper supplies and equipment have led to the disruption of all regular preventive and curative services in the north-east. (WHO August 2002, pp. 96-98). Water and sanitation needs are acute in the areas earmarked for resettlement with a lack of drinking water and sanitation facilities. It is estimated that three-quarter of the returnees will have no access to adequate water supply and proper sanitation, exposing the most vulnerable to high risks of diarrhea, dysentery and other diseases. (UN & GOSL 23 August 2002, p. 21)

The situation in the state-run welfare centres is also a matter of concern. Historically, the centres were seen as a practical answer to the needs of the displaced who were unable to find accommodation with friends or relatives. However, as the conflict dragged on, the temporary solution became a semi-permanent one, with some IDPs living in the centres for as long as ten years.

Scores of problems stem from long-term stays in the centres, including attitudes of dependence, loss of self-esteem, alcoholism, depression and a consequently high level of suicide. Suicide rates were three times higher in the welfare centres than in the rest of the country. A MSF survey conducted among residents of the Vavuniya welfare centre in 2001 indicated high levels of traumatic stress due to shocking past experiences or present living conditions. Stress was often associated with physical complaints, such as chest/heart problems or generalized body pains (MSF 31 May 2001, p. 25).

Food security has also been a serious problem in the welfare centres. In early 2002, WFP identified some 77,000 IDPs living in welfare centres who had received very little food assistance in the last three months and who – without alternative sources of food – were going hungry. The main cause of this shortage was the inability of the state to mobilize resources to assist these vulnerable groups (WFP, 28 February 2002) and the politically-motivated decision by the new government to freeze the funds of the CGES, a relief institution under the authority of the country's president. (Inter Press Service 12 March 2002)

When the government is providing dry rations to IDPs in welfare centers, they generally fall short of the minimum caloric requirements. WFP envisaged providing relief rations to these vulnerable groups, but due to the poor response from donors so far, these activities could not be started. (UN & GOSL 23 August 2002, p. 14)

### **Current prescription law dispossesses IDP after 10 years**

As a consequence of two decades of civil war, private and state property has suffered extensive damage. Many people returning have lost their property or business premises or have found that their land and houses were occupied by other displaced persons or by the military.

Requisition of land and buildings by the military has been a regular occurrence during the war and no compensation has generally been paid to those evicted. The High Security Zones has been a controversial issue during the last round of peace talks in January, with the government requiring the LTTE to disarm before letting civilians resettle in these areas. Finally the LTTE agreed to set the issue aside for the time being and to start resettling people outside the security zones. An international group of military experts

will be asked to find the best way to resettle the civilians in the security zones without upsetting the balance of power. (Government of Sri Lanka 8 January 2003)

The Sri Lanka prescription law entails that title deeds expire after 10 years of not exerting usufruct of property. This is particularly problematic for IDPs who wish to return and reclaim their land or property after being away for more than 10 years, like the 100,000 Muslims from Jaffna and Mannar who were displaced to Puttalam in 1990.

More generally, proving legal title to ownership has to be done through documents, which have often been lost or left behind while escaping the fighting. One way to proceed is then to ask for copies of the documents at the land registry, but sometimes these documents at the land registry have been destroyed, as it is the case in some parts of the north, making it even more difficult for IDPs who have lost their property and land to prove ownership. (Premarathne, Eranthi, p. 6-7)

### **National and international response**

According to a study requested by the Human Right Commission of Sri Lanka, the rights of the IDPs, as spelled out in the Guiding Principles, have all not fully been complied with during the last years in Sri Lanka. Their special needs were not being effectively addressed and their rights to life and dignity were being violated. Central to this failure is the lack of a vision on the part of the government and the fact that the policy on IDPs has generally been influenced by military considerations rather than by the recognition of the rights of IDPs. (Gomez, Mario, July 2002, pp. 15-18)

The government's assistance to IDPs is channeled through the newly created Ministry of Rehabilitation, Resettlement and Refugees (MRRR), which was established in December 2001 by the new government. All coordination arrangements for IDP support are regulated through the MRRR and the Resettlement and Rehabilitation Authority of the North (RRAN) is now incorporated into the MRRR.

Both the government of Sri Lanka and the LTTE are aware that more efforts need to be made to create conditions conducive to a successful return and during the fourth session of peace talks held in Thailand in early January 2003, both parties emphasized the need to supplement the political agreement reached in December 2002 with tangible improvements for the people affected by the war. It was agreed to accelerate the return and resettlement of the displaced persons to the Jaffna district and the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN) was confirmed as the prime decision-making body for meeting immediate humanitarian and rehabilitation needs in the affected regions in the north and east. (Royal Norwegian Government 9 January 2003)

UNHCR is the international lead agency for the internally displaced in Sri Lanka. In 2002, it was working with the government to develop a framework for assistance, relief and rehabilitation of war-affected communities, including the collection of data on the needs and expectations of IDPs. UNHCR was also involved in assistance activities such as the delivery of non-food items and education. Other activities included water & sanitation improvements and IDP protection schemes in collaboration with ICRC (UNHCR, November 2000, pp11-12).

## CAUSES AND BACKGROUND OF DISPLACEMENT

### Ethnic tensions and the armed conflict

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#### Socio-ethnic profile of Sri Lanka

- Sinhalese (74 percent of the population); Religion: Buddhism; Language: Sinhala
- Tamils (18 percent of the population); Religion: Hinduism; Language: Tamil
- Muslims (7 percent of the population); Language: Tamil
- Breakdown of population according to religion: Buddhists 69%; Hindus 15%; Christians 8% and Muslims 8%

"The total population of Sri Lanka is 18,721,178 according to 1997 estimates. The population growth rate at the same time was 1.14%, the birth rate is 18.64 births/1,000 population, and the death rate 5.9 deaths/1,000 population. Infant mortality rate is 16.5 deaths/1,000 live births. The age structure is 0-14 years (28%), 15-64 years (66%), and 65 and over (6%). These figures of course vary between the different Districts, partly as a result of the war. But in general Sri Lanka ranges relatively high on the Human Development Index despite its low income which is 670 US\$/head (1998 estimates).

The categorisation of the population according to **ethnicity** is as follows: Sinhalese 74%, Tamil 18%, Moor 7% and Burgher, Malay and Vedda 1%. The Sinhalese predominantly live in the southern regions and parts of the central highlands. But there is also a large Sinhalese minority in the East. Most Tamils and Muslims reside in the northern and eastern portions of the island, although there are also sizeable Tamil and Muslim communities in Colombo and other urban areas in the south. Although there has been an increasing polarization of ethnic groups as a result of the long armed conflict, all communities have lived in close interaction with one another for centuries.

The majority of the Sinhalese are Theravada Buddhists, and the majority of Tamils are Hindus. However, there is also a large group of Christians within both ethnic groups. The breakdown of the population according to **religion** gives the following picture: Buddhists 69%, Hindus 15%, Christian 8%, and Muslim 8%.

Sri Lanka is divided into three geographical zones: the wet lowlands in the southern parts of the country where also the capital Colombo is located, the central highlands and the dry lowlands in the north, where the ongoing war is concentrated." (DRC May 2000, p. 48)

*For further information on the socio-economic profile of Sri Lanka see "DRC Sri Lanka 2000-2003 : Annex 2", May 2000, pp. 48-50 [[Internal link](#)]*

#### Roots of the ethnic conflict

- The history of Sinhalese and Tamil communities before colonialism was one of ethnic and cultural mixture
- Colonialism introduced beliefs about racial superiority and identity which resulted in two opposed nationalisms (Sinhala and Tamil) and laid the foundations for the present ethnic conflict between the two groups

- Following independence in 1948, the Tamil community and its politicians faced constant marginalization which led to the creation of the Tamil United Liberation Front in May 1976 advocating for the first time a separate Tamil State in Sri Lanka, the Eelam Tamil nation

"One often hears that the present racial and religious hostilities between the Sinhalese and Tamil populations have deep historical roots, dating back to the first century A.D. Legend has it that the Sinhala race, of 'Aryan' origin, was founded in the fifth century B.C. by an exiled Buddhist prince from northern India. The Tamils, of the 'Dravidian' race, are said to have come from southern India in the context of incursions and immigration waves between the first and thirteenth centuries A.D.

While there have always been tensions between the Sinhalese and the Tamil kings, they cannot be compared to the violent intercommunal strife between the communities that materialized in the twentieth century. Under pre-modern conditions, political and religious centres were more symbolic than real, with the units of political and cultural life enjoying considerable autonomy so long as the centre received its due share of ritual homage. Because of caste, pre-modern Sri Lanka was also segmented in a hierarchical sense." (UN Commission on Human Rights 25 January 1994, paras. 14, 15)

"The present ethnic conflict is by most scholars traced to the radical changes that took place primarily in the twentieth century. Those changes included "[I]n particular the explosion of population, the stagnation in the economy, the resulting competition for economic resources, and the influence of Western ideas about nationalism." (Seneviratne, Stavropoulou 1998, p. 362)

"The conceptions of identity and ethnic separateness that extremists of both groups promote today contrasts with their long history of ethnic and cultural mixture. During pre-colonial times, ethnic boundaries were porous and indistinct, which can be illustrated by on the one hand the reciprocal influence between the two languages despite the fact that they belong to two different language families, and on the other the fact that intermarriage between Sinhalese and Tamils was common practice for hundreds of years, mainly used by Sinhalese kings to strengthen the ties between the different units." (Seneviratne, Stavropoulou 1998, p. 362; UN Commission on Human Rights 25 January 1994, para. 16)

"[P]rior to the arrival of colonialism and the Christian missionaries there was no general pattern of antagonism between the different religious groups of the island. Both the Portuguese (1505-1568) and the Dutch (1568-1796) left their mark by introducing one form of religious intolerance through the practice of targeting groups because of their religious orientation. All groups suffered from oppression and discrimination whether at the hands of aggressive Catholics or of militant Calvinists; and by the time they had departed, all groups had adopted some of the language and methods of religious radicalism."(UN Commission on Human Rights 25 January 1994, para 17)

"The antagonism between the different religious groups grew during colonialism as beliefs about racial superiority and nationalist theories were introduced. This resulted in two opposed nationalisms, Sinhala and Tamil, and these are considered the main underlying cause of the present conflict between the two groups." (Seneviratne, Stavropoulou 1998, p. 362)

"Colonialism also introduced beliefs about racial superiority and nationalist theories, which gained prominence in the late nineteenth and early twentieth centuries in the West. According to one theory, for instance, certain structural affinities between Indian and European languages were thought to be rooted in common racial attributes characteristic of 'Aryans'. Not only did this call into question the continued colonial dominance of the British over fellow "Aryans", it may have also provided arguments of racial superiority in the inter-communal competition on the island. It appears, at least, to have strengthened a deep-rooted feeling among the Sinhalese Buddhist community that over the centuries it had been forced to defend itself and its island against invaders (the imperialist rulers and the Tamil minority) who had degraded what had been a remarkable Sinhala civilization. In the nationalist days of the nineteenth and

twentieth centuries the Buddhist religion and the Sinhalese language inevitably became the answer to the search for a Sinhalese identity.

"Tamil nationalism at the same time grew as a response both to South Indian Tamil and to Sinhalese nationalism. Close linguistic, social and cultural links to South India account for the fact that many Hindus in Sri Lanka have looked there for religious, cultural and political inspiration. Just as the South Indian nationalist Dravidian movement called for the re-establishment of the ancient Dravidian kingdom, so Sri Lankan Tamils invoked ancient Tamil rule in Sri Lanka to support the claim that with the termination of British rule the country ought to revert to its time-honoured patterns of ethnically divided governance. Yet, as it has been pointed out, 'ironically, it is the special connection, the shared history, with the Sinhala, however estranged the two groups might be, that in the end differentiates the Tamil community in Sri Lanka from that in South India and gives it a residual identity of its own. Unlike the South Indians, Sri Lankan Tamils [...] feel peripheral or marginal in relation both to the Sinhala and to the South Indians, a condition that compounds their sense of frustration and distress and intensifies their longing for a homeland. This condition is particularly acute, it is suggested, for the Sri Lankan Tamil expatriate.' Even more ironically, the Sinhalese community perceives itself as a vulnerable minority in the Indian subcontinent as a whole, particularly vis-à-vis the 50 million Tamils in the province of Tamil Nadu in India. This 'siege mentality' has led to the description of Sri Lanka as 'the island of the two minorities'." (UN Commission on Human Rights 25 January 1994, para. 19-20)

### **Marginalization of the Tamil community after independence in 1948**

- Constant marginalization of the Tamil community led to the creation of the Tamil United Liberation Front, which in May 1976 for the first time advocated a separate Tamil State in Sri Lanka, the Eelam Tamil Nation

"In the period following Sri Lanka's independence from Britain in 1948, the Tamil community and its politicians faced constant marginalization and none of their demands for minority protection were accommodated. This allegedly led to the creation of the Tamil United Liberation Front, which in a formal resolution issued in May 1976 advocated for the first time a separate Tamil State in Sri Lanka, the Eelam Tamil Nation.

Despite the adoption of a new constitution in 1978, which among other things upgraded the status of the Tamil language, many Tamils were disappointed by the the actions taken by the Government concerning devolvement of power and ensurance of cultural autonomy." (UN Commission on Human Rights 25 January 1994, para. 33-34)

"A further point of aggravation was that governments have been accused of manipulating state-sponsored irrigation and agricultural development schemes in the eastern districts in order to alter the ethnic balance.

After independence, the ethnic tension escalated into sporadic violent riots in 1956, 1958, 1971, 1977 and 1981. Following some incidents of violence of 1977, the Jayewardene Government adopted the Prevention of Terrorism Act in 1979 in an effort to control what by then amounted to civil war, but the broad provisions of the Terrorism Act have instead been said to have increased tensions. (UN Commission on Human Rights 25 January 1994, para 36; van Brabant 1998, pp. 148-150)

"The Prevention of Terrorism Act (which became permanent law by Act No. 10 of 1982) and the Emergency Regulations, both of which give security forces wide powers (e.g. preventive and incommunicado detention) remain in effect in the whole of the country [in 1993] and have been (and continue occasionally to be) the source of many abuses, such as extrajudicial killings, disappearances, abuse of detainees and arbitrary arrest and detention. [...]" (UN Commission on Human Rights 25 January 1994, para 38)

### **The armed campaign for an independent Tamil state (1983)**

- In 1983 the tension increased due to the fact that the Tamil militancy had been radicalized and following the adoption of the Prevention of terrorism act. Sixth Amendment to the Constitution requiring new MPs to disavow separatism
- Particularly gruesome violence in 1984 marked a turning point in the violence and increased tensions between the government and the army on one side and the Tamils on the other

"In 1983, the elements for an explosive combination were in place. The armed campaign for an independent Tamil State had become persistent with some Tamil groups thoroughly committed to violence. The Tamil militancy had been radicalized into an armed struggle with the support of India with its 70 million Tamils in the southern state of Tamil Nadu. In response to this, the Prevention of Terrorism Act provided sweeping powers for the armed forces against anti-state actions." (UN Commission on Human Rights 25 January 1994, para. 39); van Brabant 1988, p. 149)

"In 1983, the government introduced the Sixth Amendment to the Constitution, together with the infamous Regulation 15A, which required incoming MPs to swear an oath disavowing separatism. This caused many moderate Tamil MPs to leave the Parliament, thus depriving the legislature and the governing party of a democratic Tamil opposition with which they could negotiate. The Tamil opposition was left in the hands of militant groups. The Liberation Tigers of Tamil Eelam (LTTE) gradually emerged as the dominating guerrilla force and unleashed a cycle of brutal violence targeting army outposts and Sinhalese, and later also Muslim civilians." (UN Commission on Human Rights 25 January 1994, para. 41; Seneviratne, Stavropoulou 1998, p. 365)

"In 1984, particularly gruesome riots took place, which signified a turning point in the violence." (van Brabant 1998, p. 148)

"This development increased the perception among Tamils of the Government as an enemy. Both in the Government and the army, the development fueled the opinion that the only way to reestablish peace was to solve the 'terrorist' problem, which was regarded as an internal affair, using military means." (UN Commission on Human Rights 25 January 1994, para. 42, 129)

"Since the early 1970s, "[t]he army has deliberately and almost permanently displaced Tamils in the east to strengthen the political and economic position of the Sinhalese. Although mono-ethnic villages have existed for a long time, the violence has encouraged segregated patterns of residence. Inevitably, ethnic violence has generated suspicions and conflicts over property, though the tradition of tolerance and mutual acceptance has not been destroyed beyond repair." Notably in the east, the army has been very heavy-handed with regard to displacement. There have been numerous instances of 'forced' resettlement or of resettled villagers being told to remain in their villages and not flee again to the towns, notwithstanding renewed insecurity. [...]" (van Brabant 1998, p. 150)

### **Nationalist sentiments raised by the presence of the Indian Peacekeeping Forces (IPKF) (1987-1989)**

- In 1987 the Governments of India and Sri Lanka signed the so-called Indo-Lanka Accord
- Following the Indo-Lanka Accord, India deployed the IPKF to disarm the Tamil militants and to maintain law and order in the north and north-east, but it failed to subdue the LTTE

- While the LTTE continued fighting the IPKF, it entered into negotiations with President Premadasa in April 1989, resulting in a mutual cease-fire
- The IPKF left Sri Lanka in March 1990
- The IPKF raised nationalist sentiments that led to strong support of the Marxist organization Janatha Vimukthi Peramuna (JVP) which raised the level of political violence significantly

"In 1987, after the Sri Lankan forces had called a halt to an offensive on Jaffna, an agreement (the so-called Indo-Lanka Accord) which provided for concerted political and military action with a view to putting an end to the conflict in the north [thus ending the first Eelam War]. The Accord accorded some concessions to the Tamils and it declared that Tamil and English would also be official languages. It also provided for a scheme for devolving administrative powers to the northern and eastern provinces. The Accord called for the temporary union of the two provinces for one year, after which the inhabitants of the eastern province might (at the discretion of the President) decide in a referendum whether they should form a separate administrative unit.

As a result of the Indo-Lanka Accord, the Indian Peace-Keeping Forces (IPKF) landed in Sri Lanka with the mandate not only to disarm the Tamil militants, but also to maintain law and order in the north and north-east. Some Tamil militants went along with the accord. The LTTE did not, and started an effective guerrilla war against the IPKF and acting against other Tamil militants, who then joined in to try to defeat the LTTE. The IPKF failed to subdue the LTTE, and its actions in trying to do so led to accusations of widespread human rights abuses." (UN Commission on Human Rights 25 January 1994, paras. 43, 44)

"President Premadasa, who came to power in December 1988, had always opposed the Indo-Lanka Accord and the presence of foreign troops on Sri Lankan soil. In April 1989, the President undertook negotiations with the LTTE, resulting in a mutual cease-fire, while the LTTE continued fighting the IPKF. It was said at the time that the Sri Lankan Government actually supplied arms to the LTTE in order to expedite the withdrawal of the IPKF. In September that year, the Indian Government agreed to pull out its troops. They eventually left the country in March 1990. A few arms were turned in by Tamils to the Indians, while the rest may have been used later in opposition activity." (UN Commission on Human Rights 25 January 1994, para 47)

"[M]any among the Sinhalese came to regard India's role as a dangerous threat to Sri Lankan sovereignty. The JVP acquired popular support at this time by exploiting nationalist sentiments and the growing disenchantment over serious socio-economic problems. The JVP had started as a non-violent political movement in the early 1970s, seeking to participate in the established democratic system. It was ruthlessly suppressed then and outlawed in 1983, but it regrouped and resorted to extreme violence. Many Sinhalese came to regard the role of India as a threat against the sovereignty of Sri Lanka, and this nationalist sentiment led to strong support of the Marxist organization Janatha Vimukthi Peramuna (JVP). This organisation started as a non-violent political movement in the early 1970s, but after having been outlawed in 1983 it resorted to extreme violence.

In early 1988 it launched a campaign of murder against members and activists of the ruling United National Party (UNP) and government employees. In retaliation, paramilitary vigilante groups, possibly connected with the armed forces, engaged in 'exemplary killings' and other atrocities. In July 1989 there was an escalation of the fight, as JVP appeared to make a final thrust towards capturing State power. The State launched a general counter-insurgency campaign and by the end of November 1989, the armed forces put down the revolt, when they succeeded in arresting and executing the nucleus of the JVP leadership.

Following a relatively peaceful period of one and a half years in the South, 1992 witnessed increased levels of political violence perpetrated both by pro-Government and anti-Government elements. Violence or threats of violence have been directed against participants in political rallies or demonstrations of one kind or another, against members of the academic world, the media, the legal profession, human rights groups and Buddhist priests. Several national leaders, including President Ranasingha Premadasa, were

assassinated. Some of these actions are explained as marking a resurgence of the JVP." (UN Commission on Human Rights 25 January 1994, paras. 45, 46)

### **Renewed fighting after breach of cease-fire by the LTTE (June 1990)**

- After the retreat of the Indian army, the LTTE took control of the north after breaking a 14 month cease-fire after heavy fighting in the summer of 1990
- An all-party conference intended to solve the ethnic conflict failed in September 1990
- The Jaffna peninsula cut off from the rest of the island after the August 1991 Operation Balavegaya, during which Sri Lankan troops entered into the besieged Elephant Pass
- Hundreds of civilians victimized in heavy fighting between the governmental forces and the LTTE during 1992-1993

The north remained relatively peaceful during most of 1989 and 1990, while the army was being occupied by the JVP insurgency. In mid-1990, however, heavy fratricidal fighting was reported between the LTTE and the Tamil National Army (TNA), a combat unit forcibly recruited by Tamil factions with the help of the Indian forces. Hundreds of persons were reported killed and thousands of Tamils fled to India and other countries. The LTTE took effective control in the north and east after the retreat of the Indian army. In June 1990, the LTTE, breaking a 14-month cease-fire, initiated the second Eelam war with government forces, during which heavy fighting continued until the end of 1993. The LTTE carried out attacks against police stations and army camps and the army retaliated ferociously, targeting mostly unarmed Tamil civilians. Local Muslims, angered by the killing of Muslim policemen, sometimes accompanied soldiers, pointing out Tamils. The death and destruction of the summer of 1990 were referred to in many discussions the Representative had with the local population in the east. Displaced persons living in camps were among the most frequent victims: if they were not killed or 'disappeared' they would often be displaced yet again.

In September 1990, an all-party conference was convened on the issue of devolution of power in the north and east with the intention of resolving the ethnic conflict. After much negotiation, the conference failed to reach agreement between the Tamil and Muslim groups regarding equal status and power as well as the merging of the two provinces. The Muslims were said to fear the merger, in which case they would have become the clear minority in that area.

[...]

Despite President Premadasa's efforts, throughout his term, to promote consultations and negotiations as a solution to the ethnic conflict, the violence continued unabated in the north. It is estimated that between June and September 1990 more than 1 million people were displaced by the fighting in the north-east. As of January 1991, over 210,000 people had fled to southern India and more than 5,400 had been killed. In August 1991 the army carried out Operation Balavegaya, with the entry of troops into the besieged Elephant Pass army camp. Since then the Jaffna peninsula, the traditional LTTE stronghold, has been cut off from the rest of the island. The army has maintained camps around the Jaffna peninsula, which it intermittently bombed and shelled during 1992. Approximately 80,000 persons have been caught in the ongoing fighting and, as a consequence, have left their homes and have moved in with friends and relatives or into camps. Living conditions in the peninsula have been described as pre-industrial. The LTTE is allegedly requiring civilians who want to leave the area to purchase passes and hinders the movement of those trying to flee or reach safer areas and the transportation of relief aid. It is estimated that between June and September 1990 more than 1 million people were displaced by the fighting in the north-east. As of January 1991, over 210,000 people had fled to southern India and more than 5,400 had been killed.

During 1992 and 1993, with the intensity of violence between the Sri Lankan armed forces and the LTTE continuing, attacks by the LTTE, as well as reprisals by the military have victimized hundreds of the

civilian population, including children and elderly people. Muslim communities are the ones mostly targeted. They have been expelled from their homes in the north, while in the east they have often been caught in the crossfire between the army and the rebels. The army forces had armed and trained groups known as Muslim Home Guards, which act as civil defence units in the Muslim villages. This 'cooperation' has provoked retaliatory action by the Tamil insurgents against Muslim villagers and the Home Guards; but the Home Guards have also been accused of engaging in arbitrary violence and human rights violations." (UN Commission on Human Rights 25 January 1994, paras. 48-51)

### **Peace process stalled: the government bans the LTTE and reimposes nationwide state of emergency (1998)**

- LTTE banned in February 1998
- The government reimposed a state of emergency nationwide on 4 August 1998.
- There are no indications, despite routinely ignorance of crucial provisions in the Emergency Regulations, that the ER was used to conceal certain human rights violations
- The state of emergency has to be debated and renewed by the Parliament each month

"[I]n February emergency regulations (ERs) banning the LTTE were promulgated." (AI 1999, p. 311)

"On August 4, the Government reimposed a state of emergency nationwide. There was no evidence that the Government was using the Emergency Regulations, as in previous years, to conceal extrajudicial killings or disappearances. Nevertheless, crucial safeguards built into the ER and the legislation establishing the HRC often were ignored routinely by the security forces-especially those provisions requiring receipts to be issued for arrests and ordering the security forces to notify the HRC of any arrest within 48 hours. Although security force personnel can be fined or jailed for failure to comply with the ER, none were known to have been punished during the year." (U.S. DOS 26 February 1999, sect. 1a)

### **Peace efforts during 2001**

- Peace talks facilitated by Norway are scheduled to take place between the LTTE and the government during March/April 2002
- At the end of January 2002, the government decided to extend its truce by a further month until February 24, reciprocating a move by the Tamil Tiger rebels.
- Government eased an economic embargo on rebel-held areas in the island's north in an attempt to build confidence ahead of face-to-face talks. Also the government eased restrictions on Tamil civilians crossing the frontlines and entering government-held towns.
- First full cease-fire in nearly seven years starting at midnight on Monday 24 December 2001.
- The relative calm of the beginning of the year provided ground for Norwegian-led peace initiatives.
- Political discords within the ruling party (PA) hampered the peace process as the President dissolved the Parliament in October.

"Sri Lanka hopes to begin preliminary peace talks in the next two months with Tamil Tiger rebels to end a bitter ethnic war. A government statement released late on Sunday said Prime Minister Ranil Wickremesinghe told leaders in Singapore on a trip there last week that the preliminary talks could start soon with the Liberation Tigers of Tamil Eelam (LTTE).

'He stated that initially 'talks on talks' with the LTTE would start in the near future, hopefully by March/April with Norway's facilitation,' the statement said.

Hopes of peace are at their highest level in years after Wickremesinghe won parliamentary elections in December and rapidly pushed ahead a peace process that uses Norway as an intermediary between the two sides. A key highway into rebel-controlled areas in the north was reopened last week to allow an increased flow of people and goods." (Reuters 17 February 2002)

"Norway's attempts to broker peace in Sri Lanka received a fresh boost today as the antagonists agreed to hold their fire for another month to clear the way for talks. The Norwegian government said today that Sri Lanka's new Prime Minister Ranil Wickremesinghe informed Oslo of Colombo's decision to extend its truce by a further month until February 24, reciprocating a move by the Tamil Tiger rebels.

Sri Lanka's action was to 'provide Norway time to facilitate a mutually agreed cease-fire between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE),' the Norwegian foreign ministry said. It came a day after the Tigers announced that the ceasefire, which was due to expire on Thursday, was being extended until February 24 as Oslo tried to bring them and the Sri Lankan government to the negotiating table.

'We have decided to extend the truce for another month as a gesture of peace and goodwill and also to provide further space and time for the Norwegian facilitators to work out terms and conditions for a mutually agreed structured ceasefire,' the LTTE said in a statement.

Government forces reciprocated the truce called last month by the LTTE and eased an economic embargo on rebel-held areas in the island's north in an attempt to build confidence ahead of face-to-face talks. In a further move, the government eased restrictions on Tamil civilians crossing the frontlines and entering government-held towns. Norway, which has been trying to broker talks between the government and the rebels for nearly three years, announced 10 days ago that it was 'cautiously optimistic.' (Daily Mirror 22 January 2002)

**[Click [here](#) to see the full text of the agreement on a ceasefire between the Government of Sri Lanka and the LTTE, (BBC, 22 February 2002)]**

"War-torn Sri Lanka was set to begin its first full cease-fire in nearly seven years at midnight on Monday, fueling renewed hopes that peace talks with Tamil Tiger separatists were around the corner. The truce by both sides comes after the newly elected government said at the weekend it would match a holiday cease-fire declared by the Liberation Tigers of Tamil Eelam (LTTE), fighting since 1983 for a separate Tamil state in the north and east.

'It will commence from tonight,' said military spokesman Brigadier Sanath Karunaratne.

'There will be no offensive action from our side and the troops have also been ordered not to provoke the enemy, but we will protect our territory,' he said.

The move by Prime Minister Ranil Wickremesinghe to match the rebel cease-fire declared last week was in sharp contrast to the actions of the previous People's Alliance government, which launched an offensive last year just hours after the Tigers declared a similar holiday truce. The last cease-fire observed by both sides ended in April 1995 when Tamil rebels launched an attack on government Navy boats, halting a truce that had lasted about four months.

Hopes for a lasting peace process have risen since Wickremesinghe's United National Party and a Muslim ally won a general election on December 5 on a campaign pledge to open peace talks to end the ethnic strife that has left an estimated 64,000 dead" (Reuters 24 December 2001)

"The year began with a period of relative calm, ushered in when the Liberation Tigers of Tamil Eelam (LTTE) announced a unilateral ceasefire. The government reciprocated with restraint in military operations, and the LTTE refrained from making attacks in the south. These developments provided ground for Norwegian-led peace initiatives, but by mid-year optimism waned as discord within the ruling People's Alliance (PA) prompted several key members to abandon the coalition and join the opposition, leaving the government without a majority. In a climate of growing unrest, the president prorogued Parliament in July and made efforts to salvage the coalition. When these failed, she dissolved Parliament in October. New elections will be held on 5 December. As elections approach, the campaign has become bloody, with hundreds of violent incidents reported. A common element in Sri Lankan politics, election violence heightens tensions between ethnic groups and compromises security around the country.

In his annual Heroes' Day address delivered on 27 November, LTTE leader V. Prabhakaran called for more respect for minorities and constitutional rights for Tamils; for the first time since the beginning of the civil war, he refrained from speaking of an independent Tamil Eelam." (ICRC 4 December 2001)

### **LTTE and Sri Lanka government agree to negotiate within a Federal structure (December 2002)**

- Parties have decided to explore a political solution founded on internal self-determination based on a federal structure within a united Sri Lanka.
- Parties agreed to request the Sub-Committee on De-escalation and Normalization to propose a common approach to settling cases involving the disputed use of private property
- Parties strongly underlined the need to move rapidly on humanitarian and rehabilitation efforts in the north and east
- A committee of women will be instituted to explore the effective inclusion of gender issues in the peace process
- Peace talks in Thailand have resulted in the creation of a Joint Task Force for Humanitarian and Reconstruction Activities (JTF) which will primarily focus on mine action and IDP needs. Also a Joint Committee was established to address the return of IDPs to High Security Zone.

"Parties have decided to explore a political solution founded on internal self-determination based on a federal structure within a united Sri Lanka

The third session of peace talks between the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) was held in Oslo, Norway on 2 to 5 December 2002. In a frank, open and constructive manner, the parties focused on three major areas:

Consolidation of the ceasefire  
Humanitarian and rehabilitation action  
Political matters

The parties agreed on a working outline defining the objective as well as a number of substantive political issues for negotiation.

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

peoples, based on a federal structure within a united Sri Lanka. The parties acknowledged that the solution has to be acceptable to all communities.

Guided by this objective, the parties agreed to initiate discussions on substantive political issues such as, but not limited to:

Power-sharing between the centre and the region, as well as within the centre

Geographical region

Human Rights protection

Political and administrative mechanism

Public finance

Law and order

The parties recognised that progress on political issues must be supported by the continued consolidation of the Ceasefire Agreement. New concrete measures will be taken to facilitate further de-escalation and to improve normalcy:

The GOSL will shortly return one of the hotels in Jaffna to its original use

The LTTE will ensure that all future transportation of area commanders will take place under the supervision of the Sri Lanka Monitoring Mission (SLMM)

The LTTE will accept the right of political groups to carry out political work, including in the Jaffna peninsula and the islands, provided that they are unarmed, as stipulated by the Ceasefire Agreement

The GOSL will, in consultation with all relevant parties and groups, evolve a solution to the problems arising from recent developments in the Delft island

The parties will facilitate restoration and rehabilitation of places of worship in the north and the east belonging to all religious communities.

On the basis of their firm conviction that the maintenance of law and order in the north and east is of paramount importance, the parties agreed to request the Sub-Committee on De-escalation and Normalization to propose a common approach to settling cases involving the disputed use of private property, where such use has been impeded by the conflict. Furthermore, the LTTE will ensure that the activities of their law and order mechanisms will not be extended beyond the areas dominated by the LTTE.

The parties strongly underlined the need to move rapidly on humanitarian and rehabilitation efforts in the north and east. For this purpose, the early establishment of the North-East Reconstruction Fund will be critical. The parties agreed that the custodian of the fund should be selected and modalities for its operation agreed at the next meeting of the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs.

The parties expressed their appreciation of the strong support extended by several governments to the peace process at the Sri Lanka Support Meeting held in Oslo on 25 November, and urged these governments to rapidly release funds needed for humanitarian and rehabilitation efforts.

The parties agreed that a committee of women will be instituted to explore the effective inclusion of gender issues in the peace process. The committee will also, on a regular basis, submit proposals relating to women's interests to the sessions of negotiations and to the sub-committees of the peace process. The committee will consist of four representatives of each party.

As a priority area identified by the parties for humanitarian action, the parties stressed the need to improve the situation for children affected by armed conflict. Inspired by the international norms protecting the rights of the child, the parties underlined that children belong with their families or other custodians and not

in the workplace, whether civilian or military. The LTTE will engage in a partnership with the United Nations Children's Fund (UNICEF) to draw up an action plan for restoring normalcy to the lives of children, and the parties called on the international community to provide financial support for such an action plan.

The GOSL will, in order to arrive at the broadest possible consensus, establish an appropriate mechanism for consultation with all segments of opinion as part of the ongoing peace process." (Government of Norway 5 December 2002)

"The peace talks which were held in Thailand between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) were notable for many reasons, including the high emphasis placed on issues pertaining to the internally displaced in Sri Lanka. Both sides have agreed to create a Joint Task Force for Humanitarian and Reconstruction Activities (JTF). The JTF will primarily focus on mine action and IDP needs and will seek international funding for priority humanitarian and reconstruction projects. The JTF will be comprised of members from the Government, Muslim community and LTTE.

The delegates at the talks also agreed to establish a Joint Committee to address the return of IDPs to High Security Zones." (UN Inter-Agency IDP Working Group 17 October 2002, p. 1)

## **Causes of displacement**

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### **An overview of internal displacement in Sri Lanka (1983-2000)**

- The Sri Lanka's ethnic conflict escalated in the early 1980s after anti-Tamil riots in 1983
- Number of IDPs has fluctuated between 500,000 and 1,000,000 since the 1980s
- Many of the IDPs have been displaced several times
- As of January 2, 2002, there were approximately 174,250 persons in 346 welfare centers in the districts of Jaffna, Kilinochchi, Mullaitivu, Mannar, Vavuniya, Trincomalee, Batticaloa, Ampara, Puttalam, Anuradhapura, Kurunegala, Polonnaruwa, Colombo and Matale. A further 509,036 displaced persons were staying with friends and relatives. These statistics do not capture the total number of displaced people.
- 100,000 Muslims were evicted from Jaffna and Mannar by the Liberation Tigers of Tamil Eelam (LTTE) in 1990 and 12 years later they are still living the lives of displaced people in Puttalam, Anuradhapura and Kurunegala.
- While some who were forced to flee in the initial stages of the conflict have resettled, thousands more have since been displaced, and many who re-settled have been re-displaced.
- The government of Sri Lanka has assumed some responsibility toward the displaced but its policy has been heavily influenced by military imperatives.

"For almost a million Sri Lankans, the right to freedom of movement guaranteed by the country's Constitution and the International Covenants on Human Rights has been until recently largely an illusion. IDPs, the group closest to the ethnic conflict, have had little freedom in choosing their places of residence, work, study or leisure. They have had little choice in opting to remain or to flee. These choices have been determined for them by other, more powerful actors. As a group they are identified by a common history of uprootedness and continue to have fewer opportunities to meet their basic needs than those Sri Lankans who have not been forcibly displaced.

The Sri Lanka's ethnic conflict escalated in the early 1980s after anti-Tamil riots in 1983. The riots saw Sri Lanka descend into a spiral of violence that has wrecked the economy and torn apart its social fabric. As in all internal conflicts, the heaviest casualties were civilians and since 1980 thousands upon thousands of Sri Lankans have been uprooted and forced to flee their homes. An estimated 200,000 have fled overseas while the majority has remained displaced within the country's borders. Many of the IDPs have been displaced several times. According to statistics provided by the Commissioner General of Essential Services (CGES), as of January 2, 2002, there were approximately 174,250 persons in 346 welfare centers in the districts of Jaffna, Kilinochchi, Mullaitivu, Mannar, Vavuniya, Trincomalee, Batticaloa, Ampara, Puttalam, Anuradhapura, Kurunegala, Polonnaruwa, Colombo and Matale. A further 509,036 displaced persons were staying with friends and relatives. The IDPs outside the camps are also eligible to receive rations from the state. According to the CGES statistics, there were a total of 683,286 persons displaced as of January 2, 2002, both within and outside camps. However, these statistics do not capture the total number of displaced people who either are not eligible to receive dry rations due to economic reasons or have not registered with the government and who are living in other areas, including the city of Colombo.

***Numbers Displaced (estimated)***

*December 1994 525,000*

*October 1995 649,049*

*December 1995 1,017,181*

*May 1996 839,161*

*October 1996 770,837*

*December 1996 768,356*

*March 2001 707,215*

*January 2002 683,286*

*Source: Ministry of Rehabilitation and Reconstruction/ Commissioner General of Essential Services (CGES)*

The experiences of the displaced have varied. While they share a common experience, in that they have all been uprooted and forced to flee, their experiences as displaced persons have differed depending on their geographical location, their ethnic background, the interaction they have had with local and international NGOs, and their relationship with the local population. In 1990 approximately 100,000 Muslims were evicted from Jaffna and Mannar by the Liberation Tigers of Tamil Eelam (LTTE) who gave them 24 hours in which to collect their belongings and flee. Almost twelve years later they continue to live the lives of displaced people in Puttalam, Anuradhapura and Kurunegala.

The conflict in Sri Lanka has generated at least six broad categories of displaced persons:

- ??Those displaced and living in camps (or welfare centers);
- ??Those displaced and living outside camps (or welfare centers);
- ??Refugees who have returned from Tamil Nadu, India and are living in transit camps;
- ??Those who have been resettled;
- ??Refugees being repatriated by Western governments; and
- ??Refugees outside the country.

When the initial movement of people began, there was some hope that this displacement and dislocation would be temporary. This hope did not materialize and while some who were forced to flee in the initial stages of the conflict have resettled, thousands more have since been displaced, and many who re-settled have been re-displaced. Many of those who are currently displaced have been displaced several times over.

In the early 1990s the situation with regard to the displaced population was relatively stable. The LTTE had de facto control over most of the Jaffna Peninsula while the government forces made an attempt to regain control in the east. In 1992 and 1993 many people were re-settled in the east, in Mannar and some other areas, in a government-sponsored initiative and many returned from refugee camps in southern India in a

UNHCR-sponsored initiative. Previously the state and NGOs had focused almost exclusively on providing emergency relief and assistance. This was shaped by the belief that displacement was a short-term phenomenon which needed to be addressed through short-term strategies.

However, as displacement acquired a semi-permanent character, approaches changed. The emphasis shifted to helping the displaced 'take responsibility for their lives' and to trying to foster a sense of independence among the displaced. Less attention was given to 'handouts' and increased attention to activities that were geared to establishing selfreliance. Thus, access to employment emerged as a major concern. In the wake of the October 1995 offensive, however, the emphasis again shifted to 'relief and assistance' because of the massive displacement that took place and the humanitarian consequences that ensued.

October 1995 was a turning point. The Sri Lankan armed forces, which until that point had been content to let the LTTE control most of the Jaffna Peninsula, launched a major operation to take control of the Peninsula. Thousands left the Peninsula as a result of this operation. Many left because of LTTE pressure, while others fled the shelling and the bombing that accompanied the operation. In December 1995 the Sri Lankan armed forces took control of a largely empty Jaffna town and in April 1996, after a further operation, they resumed control of much of the Jaffna Peninsula. It was estimated that the Sri Lankan armed forces controlled between 60 to 80 per cent of the Jaffna Peninsula at the end of 1996. In 2000 the LTTE launched a counter operation to re-take control of Jaffna. While they succeeded in re-capturing significant portions of territory, they failed to re-take Jaffna. The ensuing battles had adverse consequences for civilian life in the area.

The government of Sri Lanka has assumed some responsibility toward the displaced but its policy has been heavily influenced by military imperatives. The military and defense apparatus has played a crucial role in determining the extent and nature of the humanitarian response to the displaced, including the range and quantity of supplies that should reach the conflict areas. It will play a strong role should the conflict erupt again. Almost all supplies sent to the conflict areas required clearance by the Ministry of Defense, which sometimes took many months, resulting in delayed deliveries of food and medicines.

There also have been allegations of bribery and corruption against members of the armed forces and others in the government involved in providing relief. In particular, the Regional Coordinators of the Human Rights Commission have received such complaints. Yet to date none of these allegations have been proved and no prosecutions have been initiated." (Gomez, Mario July 2002, pp. 8-11)

### **Fighting between the army and the LTTE is the main causes of displacement (May 2000)**

- Main cause of displacement is war between the Government and the LTTE, forced recruitment by the LTTE, inter-communal violence (in the east) and human rights abuses.
- Three areas of conflict zones: the Vanni (controlled by the LTTE), Jaffna and the border areas south of Vanni ('cleared' areas) and the contested areas of Trincomalee, Batticaloa and Ampara in the east.

"The primary cause of displacement in Sri Lanka is war waged on and around communities. Families flee to escape from violence. There are many allegations of the Government and LTTE deliberately targeting civilians as part of their campaign of terror. In addition, neither side takes adequate measures to avoid civilian casualties during battle.

Forced recruitment of child soldiers by the LTTE is another major cause of displacement, with families fleeing to protect their children. Inter-communal violence ignited by the wider war has also forced families from their homes. The conflict zone in Sri Lanka is customarily divided into the three areas: the Vanni – a belt of forest and agricultural land south of Jaffna mostly controlled by the LTTE; Jaffna, and the border

areas south of Vanni – areas which the Government has regained and which it calls 'cleared' areas; and the contested areas of Trincomalee, Batticaloa and Ampara in the east.

Most of the 400,000 to 600,000 people living in the Vanni have been forced to flee at some point during the war. Many were displaced to the south by government assaults on Jaffna in 1995 and 1996, and large numbers were forced to move again by continued fighting within the Vanni itself.

In the contested areas of eastern Sri Lanka, families face the terrible reality that displacement has become a part of life. The presence of LTTE paramilitary units within many villages, which exposes them to attack, combined with the Government's refusal to allow some communities refuge in the towns, has forced many families into a routine of daily displacement. They leave their homes each night to hide in surrounding forests and return to farm their land by day. Children do not know where they will sleep from one night to the next.

In the east, the problem of inter-communal violence is also a cause of displacement. The community is split equally between Muslims, Tamils and Sinhalese. Following the intensified violence of the second phase of the war, factions from the three ethnic groups engaged in sporadic fighting, with many civilian casualties. This violence has been compounded by high levels of human rights abuse committed by government and LTTE forces. As a result, many families have fled the area." (SCF-UK 8 May 2000 pp. 116-117 )

### **Military operations cause major displacement (November 1999 to April 2000)**

- 7,000 displaced by shelling around the Jaffna peninsula in January
- Tiger rebels attack Elephant Pass mid-February
- Continued fighting around Elephant Pass displace 12,000
- Concern is rising for nearly 4,000 trapped in the war zones

"In January, the Sri Lankan armed forces bombed and shelled the coastal areas of the peninsula, such as Arugaveli, Kerativu, Thanakilappu and LTTE positions around the Elephant Pass camp. Some 7,000 people, displaced mainly from Thenmaratchy and Vadamaratchy south, have fled to Jaffna town or western Valikamam areas" (BRC January 2000 (a)).

"THE LTTE launched an assault on Elephant Pass military base defence lines, four miles north of Paranthan, on 16 February. The camp lies at the entrance to Jaffna from the mainland. Army positions in Iyakachchi, two miles further north, were also attacked in an effort to take control of Paranthan-Chavakachcheri road and cut-off northern supply lines to Elephant Pass. According to the military, 27 combatants died and the attack was repulsed. Elephant Pass is strategically important. Army Commander Srilal Weerasooriya says 'whoever controls Elephant Pass controls Jaffna'. The Tigers hold Paranthan and a narrow strip of land north-east of Elephant Pass. The LTTE also launched assaults in Kerativu, south of Chavakachcheri." (BRC February 2000 (a))

On the 27 March, the Tamil rebels launched a combined sea and land assault -Operation Unceasing Waves III- around Elephant Pass, which guards the entrance to the Jaffna peninsula. After one week of heavy fighting more than 12,000 people were displaced (BBC, 3 April 2000)

Out of these 12,000, 3,000 have sought refuge at the Sembianpattu Government Tamil Mixed School (TamilNet 28 March 2000)

"Thousands of civilians have been displaced and others killed in the Jaffna peninsula in northern Sri Lanka, following an offensive by the rebel Liberation Tigers of Tamil Eelam (LTTE). Concern is rising for nearly 4,000 people trapped in the war zones without any humanitarian aid.

The LTTE has captured strategic locations in its offensive to capture the Elephant Pass army camp. "According to information arriving here, the rebels have taken over part of the Kandy-Jaffna Highway in the general area of Pallai in the Jaffna peninsula," sources said on 31 March. The rebels have been trying to cut the camp off from the highway, and unconfirmed reports claimed that the LTTE is virtually in control of the long stretch of road.

"The fate of nearly 4,000 people trapped in the villages situated along the road is causing much anxiety. People from the Iyakachhi to the Kilali areas have been trapped. Entrance to these areas is totally impossible because of intermittent shelling by the warring groups," sources said. "The International Committee of the Red Cross (ICRC) made an abortive attempt to go to the stranded villages. Priests of the Catholic church have also done their best to enter. We will only know the full extent of the damage done when the toll of those killed in the fighting is known. We have had no eye witness account from the war zones as yet."

"A correspondent of the Tamilnet news agency said only seven Catholic priests were assisting the displaced people in what is fast turning out to be a humanitarian crisis. Food shortages are pressing, as civilian transport has been stopped and no supplies or other aid can reach the war zones. Over 12,000 people have been displaced in the latest round of violence: over 5,000 Tamils from the Pallai and Pachchilaipalli areas arrived in Kilali on 2 April. The LTTE told civilians in Pachchilaipalli to leave their homes by the afternoon of 2 April as they (the LTTE) were about to shell the area. The displaced people reaching Kilali were prevented by the SLA (Sri Lankan army) from moving on, and some were allowed to pass only after the Vicar-General of the Jaffna diocese, Mgr J.P.E. Selvarajah, appealed to the army to let them through. Some 2,000 people have escaped north into the Jaffna peninsula, and another 100 people crossed the Kilali lagoon to reach the Vanni." (JRS 4 April 2000)

#### **Major military operations, 1995-2000**

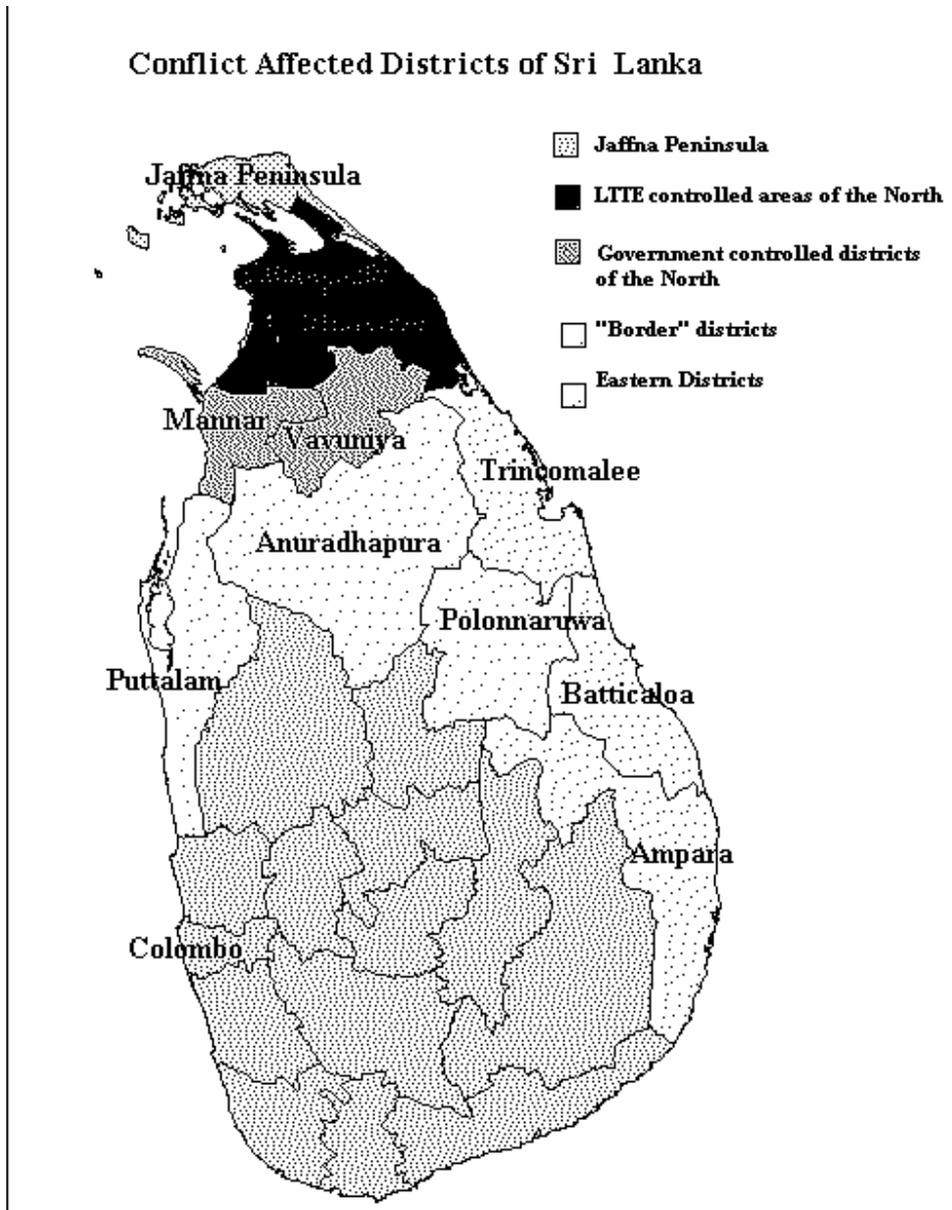
- *Riviresa I*, October 1995, which gave SLA control over Jaffna City, the stronghold of the LTTE. The LTTE evacuated the whole population before the operation.
- *Riviresa II*, May 1996, which expanded the control of SLA to the entire Jaffna Peninsula
- *Jaya Sikurui*, May 1996, which served to clear the supply route from Vavuniya to Jaffna and dislodge LTTE from the Vanni
- *Sathjaya*, July 1996, where SLA captured much of Kilinochchi town and surrounding areas. LTTE establishes itself at Mullaitivu after a successful attack of an army camp.
- *Rana Gosa I-V*, 1998-99, where SLA in a series of operations continued to push LTTE out of the Vanni and to move the defense line further north
- *Unceasing Waves*, October 1999, launched by LTTE. The LTTE regained control over the areas which were lost to SLA in previous operations and effectively pushed back the defence line
- *Watershed*, October 1999, which served to regain control over areas lost to LTTE in Vanni, but mainly to secure the army position in Jaffna.
- *The Unceasing Waves and Watershed* operations have been ongoing in Jaffna peninsula since December 1999, with huge losses on both sides. In May 2000, LTTE appear to advanced close to Jaffna town, which the army has held since 1995.

Source: DRC May 2000, p. 6

#### **Military operations cause major displacement (April-October 2000)**

- Capture of the strategic Elephant Pass by the LTTE in April caused the displacement of 172,000 persons within the Jaffna peninsula
- Modest return occurred during June and August around Jaffna town.

- During September renewed fighting took place in the Jaffna peninsula without any significant displacement



Source: UNICEF 18 October 2000

"Renewed fighting between the SLA and the LTTE in *April 2000* and the subsequent capture of Elephant pass by the LTTE on 22 April 2000 led to significant displacement of some 160,000 persons within the Jaffna peninsula. This includes an estimated 75% of the population of Chavakachcheri, Pallai, Maruthankerny, Nallur and Jaffna which numbers approximately 142,250 persons. In addition, some 3,500 persons crossed into the Vanni, bringing the total number of internally displaced to 576,041 as against 412,400 in January 2000 in areas where UNHCR has a field presence and a countrywide figure of 800,000 displaced. Updated government figures indicate that as at 31 September 172,000 persons were displaced in the Jaffna Peninsula with 25,990 IDPs living in welfare centres.

Between *June and August* 2000 the situation in Jaffna remained unstable. There were no significant changes in the front lines since the LTTE established it hold on Palai north of Elephant Pass and in Thenmarachchi east of Jaffna Town. While skirmishes and exchange of artillery fire and mortars continued, no new major fighting has taken place in the Jaffna peninsula since late May. This has allowed modest return of the displaced to take place in some areas around Jaffna Town.

While the Sri Lankan military denied any connection between the new military offensives it launched in *September 2000* and the parliamentary election campaign, there was a dramatic upsurge in military activity in the Jaffna Peninsula in *September 2000*. Beginning with 72 hours of intensive shelling of Thenmarachi Division in Jaffna and suspected LTTE positions in the north of Kilinochchi, the Sri Lankan military initiated a series of operations designed to take control of territory captured by the LTTE.

The first of these on 3 September was deemed a failure as more than 250 combatants were killed and more than 1,000 injured with no significant change in the relative position of the front lines. Subsequent offensives on 10, 17, and 26 September resulted in some gain of territory for the Sri Lankan Military. On 26 September the LTTE launched "Unceasing Waves IV" and was able to push the Front line in Palai to the north of Elephant Pass forward by 2.5 kilometres.

The impact of these military operations on civilians has been relatively minor as the area in which the fighting was taking place is the same area from which some 170,000 fled in April and May of this year. There has, however, been some displacement from the Kodikaman area though it is believed to be less than a thousand persons all of whom have been accommodated with friends and relatives." (UNHCR November 2000, p. 3)

## **Fighting and displacement during 2001**

### **"Attacks intensify since mid-year**

On 24 July, the 18th anniversary of the 1983 anti-Tamil riots, the LTTE launched a pre-dawn attack on Colombo's Katanayake air base. The attack spilled over to the adjacent Bandanaraike International Airport; both LTTE cadres and Sri Lankan security force personnel were killed and civilian and military aircraft were destroyed. The incident dealt a stunning blow to external trade and tourism, and signalled the end of the LTTE's suspension of attacks in the south.

In the Vanni, an increase in Claymore (remote-detonation) mine attacks targeting LTTE leaders culminated at the end of September with the assassination of Colonel Shankar, third in the command hierarchy of the LTTE. On both sides of the lines in southern Vanni, deep-penetration teams have increased their attacks, and security measures taken in response have affected movements of civilians and humanitarian organizations.

### **Confrontations heat up in the East**

Since mid-year the LTTE has increased its land and sea attacks in the East: hit-and-run attacks on government positions have intensified, and in September a navy vessel was nearly sunk in an LTTE attack in Trincomalee harbour. With the increase of military activity, civilians have suffered acts of retaliation, have been caught in crossfire, and have been harassed. In Mutur area, heightened tensions between Sinhala and Tamil populations have increased the vulnerability of the area's Muslim population which, trapped between the two ethnic groups, is also victim to abductions, extortion, and other abuses. As the community has mobilized to defend Muslim interests, some of its more extreme elements have resorted to violence, rendering the situation even more complex and volatile.

In areas of the East under LTTE control (uncleared areas) and grey areas where government control is not fully established, government services are unable to cover the needs of the population, and security conditions and constraints of movement hamper economic activity.

### **Conflict drags on**

Prospects for Norwegian-led peace initiatives began to fade in May when the LTTE refused to participate as long as it was banned as a terrorist organization. Government discussion of peace proposals has been frozen by the political crisis, and the escalation of military activities has further undermined the confidence that fosters negotiation.

In LTTE-controlled areas of the Vanni, the Sri Lankan security forces continue regular aerial and naval attacks, but these are conducted in areas largely emptied of civilians in earlier fighting. Otherwise, there is little change in the situation: with the area under LTTE control the government provides some food and essential goods for the population, but restrictions on movement and transport into and out of the region hamper economic development. The area's infrastructure, already underdeveloped before the population was swollen by influxes of IDPs, is unable to cover needs. The government has difficulty maintaining public services within the area, and most of the population depends on humanitarian organizations for health care, water supply, and other basic services. In the current situation of relative calm, the more relaxed application of government restrictions on goods entering the area has allowed medical and other humanitarian activities to continue without major obstacles, but should the conflict escalate these could again become rigid, compromising vital services.

On Jaffna peninsula the military situation remains unchanged, with no recent population displacements. With full control of the area, the government maintains functional public services there, but the civilian population remains cut off from the rest of the country." (ICRC 4 December 2001)

### **Ceasefire has ended cycle of violence but extortion and protection rackets remain a serious problem (July 2002)**

- Lifting of travel restrictions has been an enormous relief to residents, who are using the space provided by the cease- fire to rebuild their lives.
- The MOU also required both parties to review security measures to prevent harassment of the civilian population.
- Damage of years of conflict and abuses against civilians could take years to repair.
- Attacks by LTTE or government forces against civilians had decreased noticeably even before the cease- fire, but have left a traumatic legacy.
- Perhaps most damaging to civil society in the north and east has been the near total abdication of responsibility for civil administration to armed groups' and their patronage networks.
- Although the war had its roots in conflict between members of the Sinhalese majority and Tamil minority over economic interests and cultural identity, it soon acquired an economic and political momentum all its own.
- The cease-fire agreement and its disarmament of former Tamil militant groups decreased the public profile of the army and police, and removed some of the LTTE's other competitors, but extortion and protection rackets remain a serious problem.

"More than 64,000 Sri Lankans have been killed in fighting since the war erupted in 1983. It is not known how many thousands more have died due to conflict-exacerbated poverty and neglect. Civilians in conflict-prone areas have suffered severe economic deprivation, made worse by security restrictions on their freedom of movement by both state forces and the LTTE that prevented them reaching employment,

schools or adequate medical care. The lifting of these travel restrictions has been an enormous relief to residents, who are using the space provided by the cease- fire to rebuild their lives and shore up their families against the possibility of future conflict.

The MOU also required both parties to review security measures to prevent harassment of the civilian population. This was crucial. In government-controlled areas especially, discrimination against Tamils has been rampant. Security personnel who suspected Tamils of loyalty to the LTTE systematically singled them out for abuse, including arbitrary arrest and prolonged detention without trial, beatings and torture, including rape. Members of the military, the police and paramilitary organizations caused the “disappearance” of and extra-judicially executed many thousands of suspected LTTE members and civilian supporters. Children were not exempt, due in large part to the LTTE’s recruitment of child soldiers.

The cease-fire has ended, at least temporarily, a cycle of violence and abuse that drove more than a million people to flee their homes. But even if talks are successful, the damage could take years to repair. Shelling and exchanges of gunfire between combatant forces often killed and injured civilians and destroyed homes; this now has stopped. The LTTE has also tortured and executed suspected critics and informers. Pressure on the LTTE’s critics and its potential civilian resource base remains a serious problem, but arbitrary attacks on civilians are not being reported. At earlier stages of the conflict the LTTE massacred large numbers of Muslim and Sinhalese civilians in villages bordering their territory; government-linked home guards and security personnel burned homes and massacred villagers in Tamil areas. Such attacks had decreased noticeably even before the cease- fire, but have left a traumatic legacy. The violence and back-and- forth nature of the fighting, as both sides alternated in controlling territory in the north and east, created one of the world’s worst displacement crises.

Perhaps most damaging to civil society in the north and east has been the near total abdication of responsibility for civil administration to armed groups’ and their patronage networks. Although the war had its roots in conflict between members of the Sinhalese majority and Tamil minority over economic interests and cultural identity, it soon acquired an economic and political momentum all its own. Enterprising individuals with links to combatant forces--and sometimes several different forces with different ethnic allegiances--carved out niches for themselves that institutionalized abuse. These ventures have more to do with power and money than ethnicity.

For years, extortion and protection rackets run by both the LTTE and pro-government groups have targeted local businessmen and other civilians with financial resources. Tamil paramilitary groups linked to the army and the LTTE “taxed” goods produced by farmers and fisherman. Soldiers and police at local checkpoints confiscated and sold “excess” supplies destined for homes in LTTE-controlled areas. *Grama Sevakas* (local village administrators) charged illegal fees to villagers seeking vital documents necessary to receive relief assistance or to travel out of conflict areas in search of work or safety. They were also accused of cooperating with local military forces in more direct forms of abuse, such as providing household lists to the security forces when villagers were needed for forced labor, or to the LTTE for their conscription drives. The cease-fire agreement and its disarmament of former Tamil militant groups decreased the public profile of the army and police, and removed some of the LTTE’s other competitors, but extortion and protection rackets remain a serious problem." (HRW July 2002, pp. 8-9)

## POPULATION PROFILE AND FIGURES

### General

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#### Who are the displaced ? (August 2002)

- 6 groups of displaced persons can be classified
- 30,000 IDPs are widows and 300,000 children are affected by the war.
- Multiple displacements are the norm rather than the exception and the majority of people have experienced events which caused them to move on average three to four times
- No social, religious, ethnic, or professional group has been spared the terror of displacement during this protracted conflict.

"The displaced are of different categories. The very fortunate lot have migrated to or found asylum in other countries. Some have migrated internally down south to other parts of the country where there is no conflict and are living on their own or with relatives and friends. Within the conflict-affected area too some of the displaced live with their relations and friends, but most had been living in the "welfare centers". It is the less fortunate among those displaced who live in the "welfare centers". The conflict has caused repeated displacement of many families since 1977 and a majority of them are now landless. Presently some of these families are being relocated in new settlements according to set needs and priorities.

Six groups of displaced persons can be classified:

1. IDPs in welfare centers - 42,000 families
2. IDPs living with friends and relations - 142,000 families receive food rations
3. IDPs living with friends and relations - No. unknown, do not receive food rations
4. IDPs living on their own - No. unknown
5. Refugees in Tamil Nadu camps in India - about 200,000
6. Refugees in other countries including India (outside the refugee camps in India) - No. unknown

Of the internally displaced approximately 30,000 are widows. Further, it is estimated that 300,000 children are affected by the war and 50,000 are living in the welfare centers." (WHO August 2002, pp. 2-3)

"During the 16 years of war the number of displaced at any one time has exceeded one million people. Multiple displacements are the norm rather than the exception and the majority of people have experienced events which caused them to move on average three to four times. No social, religious, ethnic, or professional group has been spared the terror of displacement during this protracted conflict. While internally displaced persons can be categorized - for example, the Muslim community from Mannar, the Tamils from Jaffna, the Up Country Tamils from the estate areas, the returnees from India - they come from all walks of life and often do not stand out from the population at large.

**Outside centres** - The majority of the displaced tend to be scattered, diffused, moving often, living with friends, relatives, in abandoned buildings, in the forest. These people tend to be more vulnerable than those in open welfare centres as those in centres generally receive food rations. They tend to be less vulnerable than those living in restricted centres (see Diagram 1) as they are freer to move in search of employment and other income-generating opportunities.

**In centres** - The displaced are easily identifiable when they arrive in some type of centre (transit, temporary, open welfare centre, restricted welfare centre). People are then officially registered as displaced and are eligible to receive government food assistance, once they receive a ration card. People living in restricted centres are under varying rules permitting them to leave the centre with a four-hour pass, eight-hour pass, day, week or month pass depending on the security situation.

**Relocated or resettled** - Local authorities are also able to identify those families who have resettled in their own village, sometimes receiving a portion of the Unified Assistance Scheme (UAS) for resettlement. They are most vulnerable when the areas they return to are recently cleared and subject to intermittent violence and when their former sources of income are no longer available. Authorities also can easily identify people who have been relocated to another area rather than resettled in their own village, when the security situation does not permit them to return home. These people are often relocated in marginal areas without support mechanisms.

**Border villages** - People living in areas that border conflict zones form another group that can be difficult to identify since it changes with the fluidity of ongoing military operations. People living in border villages tend to be economically affected and are forced to rely more heavily on local natural resources. They hunt, collect honey and fuelwood, and harvest timber - activities that allow them to meet basic needs yet pose a risk to their personal security. These people often do not have access to basic services: the quality of education is poor as teachers have left, there may be no health services as doctors do not want to return to border areas, and assistance programmes tend not to reach border villages as these are more isolated and still not fully secured. Security is a major problem for those living in these villages because of their isolation and proximity to the forest and military bases.

**Uncleared areas** - Some people have described the conditions in the uncleared areas as similar to an embargo on people in their own country. Services barely function, transport routes are blocked, the flow of essential items depends on military approval: supplies such as kerosene are banned, as are bakeries and medicines. The strategy is to prevent the local population from serving as a lifeline for opposition forces. As a result little aid that is aimed at poverty alleviation reaches these areas. Little is known about the condition of the people living in the uncleared areas but there is speculation that malnutrition is high at least in pockets. People rely on agriculture and forest-based coping strategies. Some of those living in these areas are displaced from Jaffna and other areas of the north and east. There are no updated figures on the exact numbers requiring assistance." (WFP July 1999 pp. 8-9)

### **Overview of the situation in the Welfare Centres (November 2000)**

- There are more than 180,000 persons in 423 Government Welfare Centres around the country including more than 10,000 newly displaced persons in new centres in the Jaffna Peninsula.
- The consequences of long-term stays in welfare centres are serious and grow worse the longer people remain in the centres. This is especially true in Puttalam and Vavunya where IDPs have been staying for 10 and 5 years.
- At least 75 % of the population in the Government Welfare Centres are women and children. Lack of privacy, lack of participation, lack of income generating activities, absence of day care for children, inadequate health services and violence are the problems women in the Government Welfare Centres confront on a daily basis.
- A key feature of the life of the people in the Government Welfare Centres is the breakdown in community life. Village populations are no longer intact, traditional leadership structures are absent, and people are grouped without the normal linkages that provide support to families.

"Historically, Government Welfare Centres have been seen as a practical response to the problem of internal displacement when people forced to leave their homes are unable to find refuge and

accommodation with friends and relatives. With a history that extends back to 1983, welfare centres have traditionally been seen as a temporary phenomenon with the full expectation that persons will return home as soon as possible. At present there are more than 180,000 persons in 423 Government Welfare Centres around the country including more than 10,000 newly displaced persons in new centres in the Jaffna Peninsula.

For many displaced persons this was true, but the **long-term nature of the Conflict** in Sri Lanka, the **recurrent nature of displacement** in the North and East, and the diminishing opportunities for return to villages of origin have created a **new set of problems and challenges**.

These new problems are largely the result of a **lack of options for durable solutions** in the form of return home (resettlement) or relocation in new communities for long-term residents of welfare centres. Whether it is in Puttalam where displaced persons have remained in welfare centres for almost ten years or Vavuniya where some displaced persons have been in welfare centres for more than five years, the **consequences of long-term stays in welfare centres are serious and grow worse** the longer people remain in the centres.

The **problems that stem from long-term stays** in refugee camps, which is in effect what the Government Welfare Centres are, are well documented. They included the creation of **attitudes of dependence, learned helplessness and loss of self-esteem** among the population as well as fostering of social problems including **breakdown of the family, alcoholism and drug abuse, depression, suicide and crime**. Life in camps has a particularly **negative impact on children and women**, some of whom have been subject to physical abuse and sexual harassment. Typically, attendance rates at school for children in refugee camps are well below average. There is also a long-term risk that **camp populations are manipulated by groups with a political agenda** or become politicized themselves because of the circumstances they find themselves in. **Adolescent boys and girls are particularly susceptible** to such influences.

**Security** in the Government Welfare Centres and **protection of the basic rights** of the displaced is a problem in the centres in the districts most affected by the Conflict. As a result of security concerns, **freedom of movement is restricted**, particularly in Vavuniya. Many displaced persons including children are **without proper identification** and birth certificates. There is also a lack of awareness among the displaced of their basic rights as citizens.

The Government Welfare Centres are difficult and expensive to run. At present the Government of Sri Lanka is spending some **Rupees 12,000,000 per month** Based on Figures from RRAN, 2000. on maintenance and upgrading of Government Welfare Centres around the country. In spite of that expenditure and the efforts of the civil administration at the district level, basic services in the welfare centres tend to be poor. **Food distribution** is uneven, many of the centres are **over-crowded**, the physical layout is **not conducive to community life**, **physical privacy** is limited, **recreation space** for children is not adequate, and there is a lack of **community participation** in the management of the centres.

Surveys of the population in the Government Welfare Centres indicate that at least **75 %** of the population in the Government Welfare Centres are **women and children**. Unfortunately, services in the centres have not been designed or adapted to take this into account. **Lack of privacy, lack of participation, lack of income generating activities, absence of day care for children, inadequate health services and violence** are the problems women in the Government Welfare Centres confront on a daily basis. For children, these same problems affect children, but to this list can be added nutritional problems, **lack of adequate play space, psycho-social trauma, and difficult access to education leading to non-attendance in school**.

A key feature of the life of the people in the Government Welfare Centres is the **breakdown in community life**. Village populations are no longer intact, traditional leadership structures are absent, and people are grouped without the normal linkages that provide support to families. Because of the transient nature of the welfare centres and the expectation that stays would be short, **little effort has been made to foster people's participation and involvement in the management and running** of the centres. Camp

committees do not exist or are largely dysfunctional. As a consequence, there is a pattern of **dependency, helplessness and hopelessness** within the population." (UNHCR September 2000, pp.5-6)

### **Men and women affected differently by displacement (May 2000)**

- Men are more likely to be suspected of belonging to one of the warring parties and this influences negatively the authorities' response to the needs of the displaced family
- Displacement often affects gender roles.
- Widows are particularly at risk of being socially stigmatized and economically deprived

"Women and men are affected differently by displacement and play different roles in the resettlement process. During conflict men, more than women are generally at risk of being suspected of belonging to one of the warring fractions or of being forcefully included in an armed group. This often reduces their mobility. And according to many of the displaced families in Vavuniya and Mannar districts, suspicion of a husband or a son being associated with the LTTE influences their security and the authorities' response to their situation. When a household is displaced and loses access to its main productive assets (e.g. land or business) this not only affects their economic situation, but also the gender roles and relationships among its members. In many cases men face serious identity problems as they can no longer provide the daily meals and income for the family and become increasingly dependent on the female members of the household. Accordingly, women often have to resume extra responsibilities for their family, including taking up areas of activities that have so far been considered "male domains". This has for instance been the case with some of the displaced Muslim families in Puttalam, where women have found it easier to find employment in onion production, because they demand lower salary, and where men suddenly found themselves idle and with added responsibilities for home and children. And in the case of Sri Lanka, where some of the IDPs settle in areas dominated by a different ethnic group with differing social and cultural values and practices, there may be an additional "attack" on gender identities.

Some women come out stronger with new skills, ideas and a strong self-esteem. But many also find it difficult to deal with their new role in society. Especially **widows** are facing many problems. Not only have they lost the economic and social support of their husband and have to take overall responsibility for the household, but in many cases they simultaneously have to come to terms with a socially stigmatised position. This has for example been clearly illustrated in a relocation project for widows in Vavuniya, where the some people in the vicinity have referred to the widows as 'prostitutes' and also intruded the community. " (DRC May 2000, p. 20)

## **Estimated figures of the total number of internally displaced persons**

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### **Estimates of the total number of IDPs at the end of November 2002 : 800,000**

- As of November 2002, and although some 220,000 IDP have returned, UNHCR estimates that there are still 800,000 people displaced in Sri Lanka.
- The IDP and refugee numbers are unverified estimates but are being used by both the Government and the UN system pending a comprehensive registration currently underway.
- The majority are residing in spontaneous settlements, with host communities or with relatives, but 175,000 are concentrated in government welfare centres.

- The greatest displacement has been within and from the Jaffna peninsular, accounting for some 350,000 of the total IDP population

*Although some 220,000 are estimated to have returned since January 2002, ongoing displacement, return to extensively damaged property and uninhabitable homes as well as uncomplete data on the IDPs so far explain why UNHCR prefers to still rely on a 800,000 IDPs working figure.* (UNHCR 29 November 2002)

"The number of IDPs in Sri Lanka is currently estimated at around 800,000. Official Government statistics do not exist and this estimate is based upon the number of people receiving food aid. Of the displaced, an estimated 185,000 are accommodated in government welfare centres, which vary both in number of inhabitants (from a few hundred to around 10,000) and in the level of restriction of movement for residents." (UNHCR May 2002, p. 3)

"Since 1983, the ethnic conflict is believed to have killed about 60,000 people and has produced some 800,000 internally displaced persons, as well as some 100,000 refugees living in Tamil Nadu State in India. In addition, the conflict has led to a substantial Tamil diaspora, including much of its professional and better-educated population. The IDP and refugee numbers are unverified estimates but are being used by both the Government and the UN system pending a comprehensive registration currently underway.

Of the total, some 715,000 are receiving basic food assistance from the GSL. The majority are residing in spontaneous settlements, with host communities or with relatives, but 175,000 are concentrated in government welfare centres, living in conditions of severe overcrowding, lack of privacy and abject poverty.

Sri Lanka's IDPs have been displaced on an ongoing, albeit intermittent basis since the conflict began, the last two major waves being in the mid-1990s with the Sri Lanka Army's (SLA) re-occupation of the Jaffna peninsular and in 2000/2001 with the LTTE's unsuccessful attempt to recapture Jaffna. Many of the IDPs have been displaced multiple times, especially in Jaffna District. By far the greatest displacement has been within and from the Jaffna peninsular, accounting for some 350,000 of the total IDP population, including its entire Sinhalese and Muslim populations.

In addition to Jaffna District, Mannar, Kilinochchi, Mullaitivu and Vavuniya Districts in the north, and Trincomalee and Batticaloa Districts in the east, have both produced and are hosting IDPs, while Puttalam District is hosting a large IDP caseload, including most of the displaced Muslims. The LTTE-controlled Vanni (Kilinochchi, Mullaitivu and northern Vavuniya Districts) is believed to host as many as 300,000 IDPs, the majority of which are from the Jaffna peninsular." (IDP Unit April 2002, pp. 2-3)

#### Government figures

The government does not provide an overall estimate of the displaced. The only figures available are those pertaining to the number of people receiving food aid. Therefore these figures are to be considered as an underestimation of the real number of IDPs.

According to the Commissioner General of Essential Services (CGES), as of January 2002, a total of 683,286 persons in or out Welfare Centers, were receiving food rations. The majority of the displaced (75%) are staying outside Welfare Centers with friends and family.

The majority of the displaced (83%) living in Welfare Centers are concentrated in 215 Welfare Centers distributed over five districts: Puttalam, Mullativue, Killinochchi, Vavuniya and Mannar (CGES, January 2002).

District	No. of Welfare Centres	In Welfare Center		Outside Welfare Centres (Staying with friends and Relatives)		Total	
		Families	Persons	Families	Persons	Families	Persons
Jaffna	56	1695	6191	89416	280101	91111	286
Killinochchi	40	5972	24868	9133	36767	15105	61
Mullativue	73	7939	32642	15051	60968	22990	93
Mannar	7	5619	22648	7515	31706	13134	54
Vavuniya	14	5778	23136	7312	28332	13090	51
Trincomalee	13	1008	3723	5465	20086	6473	23
Batticaloa	2	408	1540	5051	20842	5459	22
Ampara	4	902	3652	408	1710	1310	5
Puttalam	81	9265	44386	4493	18936	13758	63
Anuradhapura	39	2164	9070	335	1249	2499	10
Kurunegala	10	225	925	261	1099	486	2
Polonnaruwa	5	234	979	186	611	420	1
Colombo	1	92	454	476	1974	568	2
Matale	1	8	36	90	383	98	
Gampaha	0	0	0	664	2458	664	2
Kalutara	0	0	0	286	1130	286	1
Badulla	0	0	0	20	79	20	
Monaragale	0	0	0	0	0	0	
Ratnapura	0	0	0	13	60	13	
Kegalle	0	0	0	21	90	21	
Kandy	0	0	0	58	252	58	
NuwaraEliya	0	0	0	21	78	21	
Matara	0	0	0	25	105	25	
Hambantota	0	0	0	1	1	1	
Galle	0	0	0	4	19	4	
<b>Total</b>	<b>346</b>	<b>41309</b>	<b>174250</b>	<b>146305</b>	<b>509036</b>	<b>187614</b>	<b>683</b>

See also "[Distribution of IDPs by Districts \(January 2002\)](#)", "[Distribution of Welfare Center IDPs by districts \(January 2002\)](#)" and "[Distribution of IDPs living outside Welfare Centers by districts \(January 2002\)](#)"

**Estimates of the total number of internally displaced persons at the end of 1998 range from 560,000 to 718,900**

- The total number of IDPs in the end of 1998 were estimated by USCR at about 560,000 and by the Sri Lankan Government at 718,900
- The majority of the IDPs live in in the Jaffna Peninsula and the districts of Killinochchi, Mannar, Mullaitivu and Vavuniya

"According to the Government, some 718, 900 were internally displaced at the end of the year; 40 per cent of those displaced live in the Jaffna Peninsula; another 40 percent are in the districts of Kilinochchi, Mannar, Mullaitivu and Vavuniya bordering areas affected by the conflict. The rest of the displaced population is spread across the districts of Anuradhapura, Puttalam and Trincomalee. Women comprise 45% of the displaced population; children represent 30 per cent of that population." (UNHCR June 1999, p. 277)

"The Sri Lankan government estimated that 657,000 Sri Lankans were internally displaced, of whom some 335,800 were displaced in the Jaffna region. However, the government's figures included more than 96,000 people in Jaffna who had already returned home, but who continued to receive government assistance because they could not support themselves. USCR considered those persons to be war-affected, not internally displaced. Thus, USCR estimated the displaced population in Sri Lanka at the end of 1998 at approximately 560,000." (USCR 1999, p. 137)

### **Total number of internally displaced persons estimated at 800,000 (end of 1997)**

- Government estimate of 788,000 displaced contested, but considered reasonable by USCR
- Some 635,752 of the officially recognized total figure were self-settled or stayed with friends and relatives
- Approximately 152,125 were temporarily accommodated in "welfare centres" in public buildings such as schools or temples.

"The Sri Lankan government estimated 788,000 Sri Lankans were internally displaced. Some observers called that figure high because it included tens of thousands of people in and around the city of Jaffna who, though still receiving assistance because they had previously been displaced, were once again living in their homes or home areas. Other sources found the government estimate low, saying that the government had undercounted the number of persons displaced in areas outside government control. Both critiques were valid, but USCR considered the government's estimate reasonable." (USCR 1998, p. 131)

The majority (635,752) of the officially recognized 787,877 IDPs at the end of 1997 were self-settled or stayed with friends and relatives. The remaining 152,125 were temporarily accommodated in public buildings such as schools or temples which had been converted into welfare centres. (van Brabant 1998, p. 151)

### **Total number of IDPs between 1993 and 1996**

According to USCR there was an increase in the estimated number of IDPs during 1996 from an estimated 850,000 in the beginning of the year to an estimated 900,000 in the end. According to the Sri Lankan government, there were some 780,000 internally displaced persons countrywide at the end of the year, including many people who had been displaced for years and were living in welfare centers or with friends and relatives in eastern and central Sri Lanka or Colombo. USCR's higher figure stems from information from international and local NGOs and others that said that the government undercounted the number of displaced persons in the Wanni by some 200,000. (USCR January 1997, p. 138, 139)

Year	Number of IDPs	Source
1993	563,029	(UN Commission on Human Rights 25 January 1994, para. 9)
1995	570,453	(Seneviratne, Stavropoulou 1998, p. 361)
1996	estimated 900,000	(USCR January 1997, p. 138)

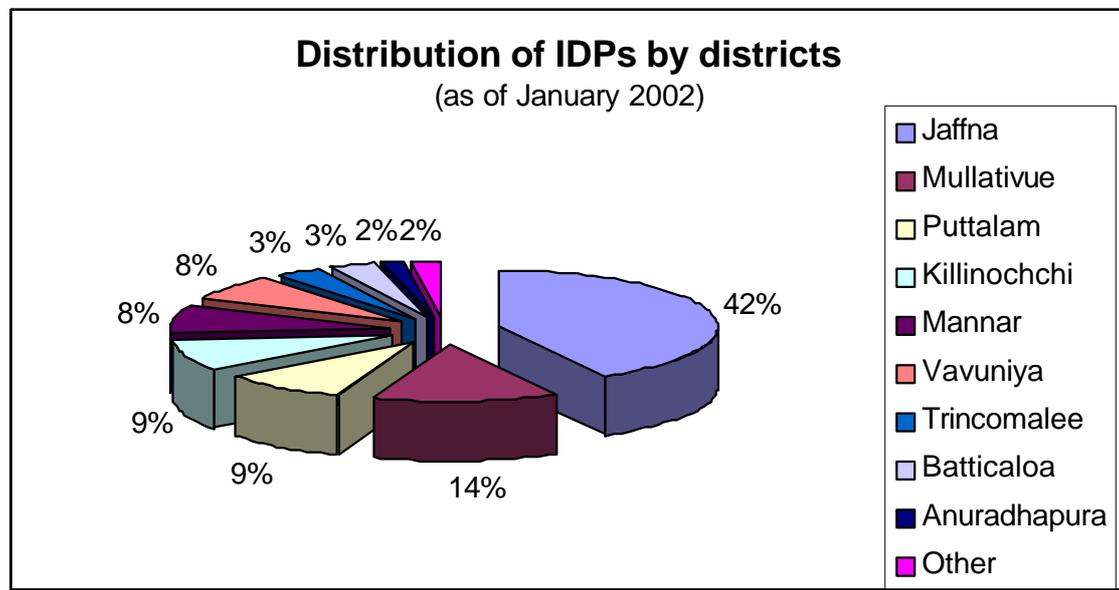
## Geographical distribution and disaggregated figures

### Distribution of IDPs by Districts (January 2002)

- Jaffna district has by far the largest number of IDPs, followed by Mullaitivu and Puttalam
- North Sri Lanka (Tamil IDPs), North western Province (Muslim IDPs), North Central Province (Sinhala IDPs), Eastern Province (Muslim and Tamil IDPs) and Western Province (Tamil and Muslim IDPs)
- In June 1999, UNHCR identified three distinct groups of IDPs by geographical areas in the country; the Jaffna Peninsula, Vavuniya and Mannar districts, and Kilinochchi, Mullaitivu and a small part of Mannar districts.

Note: The following graphics are based on figures provided by the Commissioner for Essential Services (CGES) as of January 2002. They do not reflect the total number of displaced throughout the country since they only include those receiving food assistance. As many as 100,000 IDPs may not be included either because they are living in uncleared areas (held by the Tigers rebel) or because they do not qualify for assistance.

### Distribution of IDPs by Districts



Over 42 % (or 286,292 IDPs) of the displaced in Sri Lanka are located in the Jaffna peninsula with only 2% of them (or 6,191 IDPs) living in Welfare Centers. 14% (or 93,610 IDPs) of the displaced are located in Mullaitivu district with 35% of them (or 32,642 IDPs) living in WCs. Puttalam district has 9% (or 63,322 IDPs) with 70% of them sheltered in WCs. Killinochchi also had 9% (or 61,635 IDPs) with 40% of them

sheltered in WCs. Mannar district has 8% (or 54,354 IDPs) with 42% of them in WCs. Another 8% (or 51,468 IDPs) are located in Vavuniya district with 45% of them in WCs. Trincomalee has 3% (or 23,809 IDPs) with 15% of them in WCs. Batticaloa has also 3% (or 22,382 IDPs) with 7% in WCs. Anaradhapura has 2% of all IDPs (or 10,319 IDPs) with 21% of them in WCs.

"The main locations of the main IDP population concentrations include the whole of the Northern part of Sri Lanka (wholly Tamil IDPs), the North Western Province (predominantly Muslim IDPs), the North Central Province (predominately Sinhala IDPs), Eastern Province (Muslim and Tamil IDPs) and the Western Province including the capital city Colombo (Tamil and Muslim IDPs)." (OCHA 6 July 2000, p. 102)

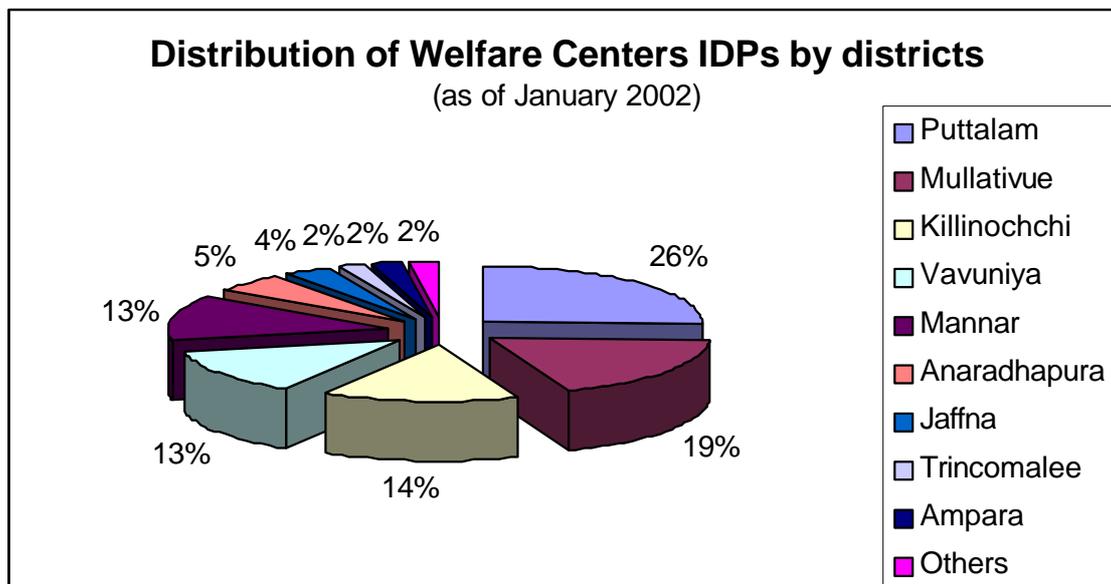
See also:

["Distribution of Welfare Center IDPs by districts \(January 2002\)"](#) and ["Distribution of IDPs living outside Welfare Centers by districts \(January 2002\)"](#)

### Distribution of Welfare Center IDPs by districts (January 2002)

Note: The following graphic is based on figures provided by the Commissioner for Essential Services (CGES) as of January 2002. They do not reflect the total number of displaced throughout the country since they only include those receiving food assistance. As many as 100,000 IDPs may not be included either because they are living in uncleared areas (held by the Tigers rebel) or because they do not qualify for assistance.

Distribution of Welfare Center IDPs by districts



Puttalam district (west of the island) host the highest number of WC IDPs with a quarter of them (44,386 IDPs) sheltered in 81 Welfare Centers. One fifth (32,642 IDPs) are sheltered in 73 Welfare Centers in Mullativue district (north-east of the island). 40% (70,652 IDPs) are almost evenly distributed between

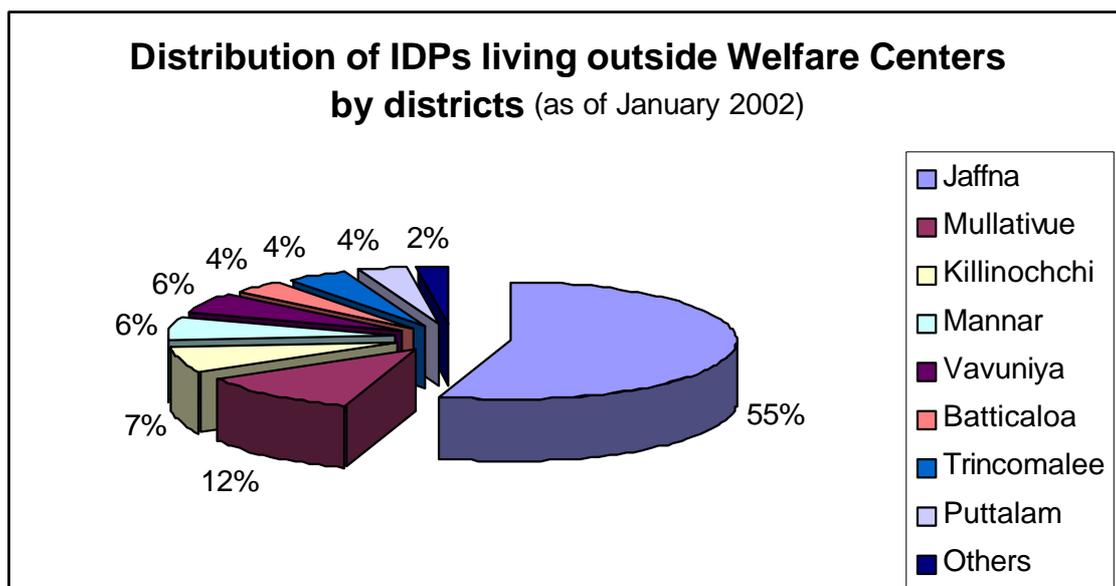
Killinochchi (40 WCs), Vavuniya (14 WCs) and Mannar (7 WCs). The remaining WC IDPs (15% or 26,570 IDPs) are to be found in 131 Welfare Centers scattered over 9 districts, including Anaradhapura (9,070 IDPs in 39 WCs), Jaffna (6,191 IDPs in 56 WCs), Trincomalee (3,723 IDPs in 13 WCs) and Ampara (3,652 IDPs in 4 WCs).

See also: "[Distribution of IDPs by Districts \(January 2002\)](#)", "[Distribution of IDPs living outside Welfare Centers by districts \(January 2002\)](#)" and "[IDPs in Welfare Centers in Sri Lanka \(September 2000\)](#)"

### Distribution of IDPs living outside Welfare Centers by districts (January 2002)

Note: The following graphics are based on figures provided by the Commissioner for Essential Services (CGES) as of January 2002. They do not reflect the total number of displaced throughout the country since they only include those receiving food assistance. As many as 100,000 IDPs may not be included either because they are living in uncleared areas (held by the Tigers rebel) or because they do not qualify for assistance.

Distribution of IDPs living outside Welfare Centers by districts



More than half (55%) of all the displaced persons living outside Welfare Centers, or 280,101 IDPs, are located in the Jaffna peninsula (north of the island) where they are staying with friends or relatives. Mullativue district (north-east of the island) hosts 60,968 IDPs (12 %), while most of the remaining IDPs (33% or 167,967 persons) are almost evenly distributed between Killinochchi (36,767), Mannar (31,706), Vavuniya (28,332), Batticaloa (20,842), Trincomalee (20,086) and Puttalam (18,936).

See also "[Distribution of IDPs by Districts \(January 2002\)](#)" and "[Distribution of Welfare Center IDPs by districts \(January 2002\)](#)"

## **IDPs in Vavuniya (August 2002)**

- 14 welfare centers in the Vavuniya District with a population of 16,624 in 4,229 families.
- Vavuniya is an Army stronghold and a base for humanitarian organizations assisting IDPs in the cleared and uncleared areas.
- At the end of April 71,551 IDPs (31% locally displaced) were sheltered in Vavuniya.
- As of March 2000 the total number of persons resettled within the district was estimated at 67,368
- 43,441 persons are dependent on dry food rations.

"The total population of the District as at 31.12.2001 is 146,109 of which 136,189 is in the cleared area and 9,920 in un-cleared are (Estimate on 1981 population is 120,000). The population consists of local population and Internally Displaced Persons from other districts as well as from within the district. Of the 4 divisions only one was enumerated and two were enumerated completely and two were enumerated partially and the population estimated for 2001 by the Dept. of Census & Statistics is 149,835.

Non-displaced/resettled population in cleared are	73,684
Locally displaced	17,163
IDPs from other districts	45,342
Total	136,189
Population in un-cleared Non-displaced/resettled	244
Locally displaced	9,215
From other districts	461
Total	9,920
GRAND TOTAL	146,109

(Source GA Vavuniya)

There are 14 welfare centers in the Vavuniya District with a population of 16,624 in 4,229 families. With the MOU signed in February this year between the Government and the LTTE, there is free movement of the people from the welfare centers to the outside including travel out of the district provided they possess their National Identity Card. Before the MOU the movement of civilians in Vavuniya was controlled by various pass systems. There were 15 systems of passes, which is not practiced now and free movement is allowed. In late 2000 there was a decision to resettle or relocate IDP families from the welfare centers in order to reduce the over crowding as well as to find a durable solution to the problem. The IDPs who were not willing to go back to their place of origin had to be relocated in the cleared area of Vavuniya. They are being relocated at present and their basic social needs are being attended to." (WHO August 2002, pp. 64-65)

"In the early 1990's relocation camps, called Welfare Centres (WFC) were established to house Tamil refugees returning from India. After registration and screening the returnees were planned to leave the WFC as soon as possible to settle permanently in the resettlement areas. However, the conflict intensified and resettlement was halted. Soon the returnees found themselves in the temporary facilities together with an increasing stream of Internally Displaced Persons (IDPs) from the war-affected areas in the North and East of Sri Lanka. Those IDPs with family, sufficient money or an established network were allowed to settle in Vavuniya town. Approximately 20,000 IDPs (Government office, April 2000) live in Vavuniya town but the majority of the IDP population lives in the centres. Some of them for more than 4 years, a substantial number already for 10 years. The temporary WFC have become permanent accommodation to 23,000 people (according to the Government Agent). They all have ethnic Tamil background and they are distributed over 15 WFCs and 6 temporary camps.

The Sri Lanka government, through an internal pass system, has placed severe restrictions on the movement of Tamil IDPs, including their freedom to live, work and travel as they please. The severity of restrictions depends on the status of the WFC. In addition the pass system causes serious security risks for the IDPs. During recent fighting (Nov. 1999), when the majority of Vavuniya's residents fled the city in anticipation of fighting Tamil IDPs from WFCs had difficulty to leave because they lacked the necessary documents." (MSF 31 May 2001, p. 6)

"Vavuniya town [...] itself is largely a product of the war. It is a garrison town and the main IDP gateway. Before the eruption of the conflict in the early 1980s it was a relatively small trade town. But then it became a safe haven for the many refugees fleeing from the north, who settled there in temporary camps or in private accommodation. And it has been the main entry point for humanitarian convoys to the LTTE occupied areas. The town today also reflects that it is both an army stronghold, the base of many Tamil political/military groups, and the base for humanitarian organisations assisting people both in the cleared and uncleared areas. With the current conflict in Mannar, the re-occupation of large areas in Vavuniya District, and a predominantly Sinhalese area south of the Dsitrcit, many of the displaced people living in Vavuniya at present have few alternative destinations.

Vavuniya has long had a large number of displaced people from the uncleared areas. The figures from the Kachcheri (30 April 2000) gives the following picture:

DISTRICT	Non Displaced		Locally displaced		Displaced from other districts		Total	
	F	P	F	P	F	P	F	P
VAVUNIYA	10814	42512	4322	17326	12272	47308	27408	107146
VAVUNIYA S	3481	12189	7	29	6	21	3494	12239
CHEDDIKULAM	3134	12667	1298	4896	503	1971	4935	19534
VAVUNIYA N	0	0	0		0	0	0	0
<b>TOTAL</b>	<b>17429</b>	<b>67368</b>	<b>5627</b>	<b>22251</b>	<b>12781</b>	<b>49300</b>	<b>35837</b>	<b>138919</b>

At the end of 1999, 87,098 persons had arrived in Vavuniya, of whom 20,818 are accommodated in 14 welfare centres. The district breakdown of people in welfare centres is as follows:

Jaffna	3441
Kilinochchi	7098
Mullaitivu	3838
Mannar	709
Vavuniya	5496
Other	236

Resettlement has also taken place within Vavuniya district. The figures for resettlement up to end March 2000 are as follows: Vavuniya 10814 families/42512 persons), Vavuniya South 3481 families/12189 persons, Cheddikulam 3134 families/12667 persons.

Many people rely entirely on dry rations. The distribution of dry rations to people in Vavuniya is as follows:

Cleared areas	24,000 persons/6,167 families
Newly cleared areas	6,059 persons/1,539 families
Welfare Centers	11,689 persons/2,802 families

Resettled

1,693 persons/441 families

Large areas of Vavuniya District is presently occupied by the LTTE (uncleared areas), and although some resettlement is taking place, the scope for rehabilitation north of Vavuniya is limited and the risks high. In the sparsely populated uncleared areas far away from Vavuniya town, relief assistance in being distributed. In other areas closer to Vavuniya Town, the army is in control during the day, but it is widely held that the LTTE is present there at night. The security for the people is therefore not satisfactory for them to return to their villages. And in some areas, it is not even possible to return during the day to continue production and look after property and other assets. In the southern (cleared) parts of the District, south of the road to Mannar, rehabilitation is possible. One of the major tasks here is to find a solution for the recently displaced persons who at present stay in schools or temporary camps, but with no prospects for an immediate return to their homes. Here a combination of relief and rehabilitation may be the most realistic approach for the time being. Other more resettled communities may be assisted with various kinds of rehabilitation." (DRC May 2000, pp. 23-24)

*For information on the socio-economic profile of Mannar district see "DRC Sri Lanka 2000-2003 : Annex 3", May 2000, pp. 53-54 [[Internal link](#)]*

### **IDPs in Jaffna (August 2002)**

- 56 welfare centers in the district caring for the people displaced from southern part of the district, many are with friends and relations and some in the districts of Kilinochchi, Mullaitivu, Vavuniya and Mannar.
- 276,000 are estimated to be displaced in the district
- Since December 1999, the LTTE has started to threaten the Jaffna peninsula by taking Elephant-pass, which is considered as Jaffna gateway. During May the Sri Lankan Army lost the control of most of the Peninsula which produced a massive displacement of civilians towards Chavakachcheri and Pallai areas.
- 66,335 persons have been displaced in Jaffna before 1995 and prevented to settle in their own places.
- 172,891 persons have been displaced after March 2000. Their numbers include 25,990 displaced persons living in welfare centers.
- Displaced persons that came from Nallur, Jaffna, Valikamam East and South have managed to move without too much hurry, allowing them to be displaced with most of their belongings and food stocks. Those who came from Vadamarachi and Thenmarachi got displaced in hurry and moved with almost no belongings.
- Complete areas have been planted with land mines and this will refrain displaced population to return when the fight will be over.

"The last census was done in 1981 and the population was enumerated as 738,788. No census had been carried out since then in the area. The actual population as at 31.12.2000 as reported by the Government Agent is 493,000. The figures given by the Department of Census and Statistics for 2001 is 490,621. A large number of the population has been displaced within the district and also to the other neighbouring districts. There are 56 welfare centers in the district caring for the people displaced from southern part of the district, many are with friends and relations and some in the districts of Kilinochchi, Mullaitivu, Vavuniya and Mannar. The professionals have migrated down south and to other countries. It is estimated that about 1000,000 people have returned to their former places of residence risking their lives as the area of return is heavily mined at present and de-mining activities are still continuing.

The population figures given by the Ministry of Rehabilitation and Resettlement are:

Displaced:	No of persons in welfare centers	6,191
	No with friends and relations	270,901
	Total	276,902
Economically affected but not displaced		91,111
Non-displaced		286,292
Grand Total		614,305

(GA figure 493,000)  
(WHO August 2002, pp. 41-42)

"The displacement [in Jaffna] can be classified into categories as follows:

a) People displaced before 1995 but prevented from settling in their own places (security zones and high security zones) : 66,335 persons of 20,855 families.

b) People displaced after March 2000: 172,891 of 50,241 families

Displaced statistics  
Displacement population before 1995

Resettled temporarily with friends and relatives: 19,165 of 59,574 persons.  
Accommodation provided in welfare centres: 1,690 families of 6761 persons.  
Displaced after March 2000 in the A.G.As Divisions of Pallai Marthankerny, Chankani, Kopay, Nallur and Jaffna: 50, 241 families of 172,891 persons.

Displacement after March 2000 in the AGAs Divisions of Pallai, Maruthankerny, Chavakachceri, Kopay, Nallur and Jaffna area: 172,891 persons of 50,241 families  
No displacement has taken place during the month of February 2001 [...]" (CHA February 2001)

"In Jaffna 172,201 persons are displaced. Their numbers include 25,990 displaced persons living in welfare centers." (UNHCR November 2000)

"Since December 1999, the LTTE has started to threaten the Jaffna peninsula by taking Elephant-pass, which is considered as Jaffna gateway. During May the Sri Lankan Army lost the control of most of the Peninsula which produced a massive displacement of civilians towards Chavakachcheri and Pallai areas. The front line since June 2000 has been located around Ariyalai (Nallur Division), Navatkulli and Chavakachcheri (Thenmarachi DS Division), and around Nagarkovil (Vadamarchchi East). The Voice of Tiger (LTTE radio) ordered the civilian population to vacate Jaffna town and surrounding to safer areas in Valikamam South West, and population did so since May 2000.

The population present within the Jaffna peninsula is 450,000. 165,000 displaced have arrived at Valikamam West, most of them moving north-west from conflict areas (Thenmarachi, Vadamarachi and the Vanni). As Valikamam West has a normal population of around 80,000 persons, the division is now a very vulnerable area to food insecurity.

The major part of the displaced persons stays in host families. The rest of them, over 12,000, were allocated in schools, temples and in improvised displaced camps. Displaced persons that came from Nallur, Jaffna, Valikamam East and South have managed to move without too much hurry, allowing them to be displaced with most of their belongings and food stocks. Concerning the displaced persons that came from

Vadamarachi and Thenmarachi, most of them get displaced in hurry as soon as it was possible and moved with almost no belongings.

Actually, after a relatively quiet period in July and August, fighting is going crescendo. Since the 3rd September the Sri Lankan army is leading the offensive, expecting to gain back some of the town and areas lost last summer, if possible before Parliamentary election that will take place in October 2000. The situation in Jaffna remains very tense and unstable and we cannot foresee a movement of population to their lands of origin for the coming months. Moreover, some reports state that complete areas have been planted with land mines and this will refrain displaced population to return when the fight will be over.

Lately, residents from the Jaffna town suburbs of Madathady, Paashaiyoor and Gurunagar began leaving their homes towards safer areas as the artillery duels between the Sri Lanka army and the LTTE began early October. This is to say that the affluence of displaced to Valikamam West from several areas has not stopped yet and it isn't foreseen that it will stop very soon.

The lands close to the actual front-line in both sides have been filled with land mines in order to insure the actual position. This distribution will make difficult any resettlement of population in a near future. The demining programme of UNDP have been stopped as none of parties in conflict respected the conditions of the demining treaty. Anyway, these lands are now totally inaccessible by the civilians.

Apart of the distribution of two mine bands made in 1995 in Valikamam West area, no new distribution of them have been recently done in this division and it doesn't represent any new risk regarding land access by the displaced as well as the residents.

Many of the displaced have a land access where they can grow some vegetables to maintain their families. Some of them get this land from their host family, others can temporarily have access to land that nobody cultivate." (ACF October 2000)

### **IDPs in Mannar district (August 2002)**

- Close to 100,000 are either displaced or have resettled in the district most of them in the cleared area.
- 9 welfare centers in Mannar district of which six are in the cleared area with a population of 50,321 in 12,662 families
- Relocation and resettlement program is planned but the progress so far is very slow
- Mannar serves as transit area for IDPs to and from India and those from Jaffna district who wish to proceed to Jaffna
- 98,246 IDPs were staying in Mannar District (29% come from other districts) at the end of February 2000. 29% of the IDPs live in welfare centers.
- 23,208 persons have returned and resettled within Mannar District from India (80%) and elsewhere.
- 39,921 persons (58% previously displaced within the district, 31% from India and the rest from other districts) have resettled in the cleared area (large areas of the northern part are "uncleared" thus occupied by the LTTE)

"As a result of the on-going ethnic conflict, the population of the district was displaced repeatedly since 1990 and the facilities providing the social and economic infrastructure had been completely destroyed or defunct. About 80% of the population lives below the absolute poverty income level of subsistence. The employment opportunities are highly seasonal. Main occupations are farming and fishing. There are no institutional facilities for the school leavers to pursue higher education or advanced training.

The population of Mannar District consists of local population and displaced persons from other districts and the population at present (31.12.2001) is:

Non-displaced/resettled in cleared area		43,960
Locally displaced	7,349	
IDPs from other districts	11,655	
Total	62,964	
Non-displaced/resettled in un-cleared areas	3,684	
Locally displaced	11,640	
IDPs from other districts	19,714	
Total	35,038	
Grand Total		98,002

(Census 2001 Population is 151,577)

Source: Govt. Agent, Mannar

[...]

There are nine welfare centers in Mannar district of which six are in the cleared area with a population of 50,321 in 12,662 families. Relocation and resettlement program is planned but the progress so far is very slow due to the fact that the villages lack other support social infrastructure like the water supply, school and health services facilities. One of the welfare centers that was functioning at the Madhu church as Open Refugee Camp is closed from June to make way for the religious festival to restart in the church and people had been removed to Palamadhu (Vidaltivu). Some of the inmates have gone back to their land." (WHO August 2002, pp. 58-59)

"Mannar District [...] has always played a central role in the war-induced displacement from northern Sri Lanka. With its proximity to India it has been one of the major exit – and later entry – points to (from) India. The District has thus continuously hosted many displaced people, in welfare centers or in private accommodation, as they have been searching for security and shelter. Mannar also serves as a transit area for displaced people from Jaffna District who wish to proceed to Jaffna

[...]

One of the most wellknown centers was the Open Relief Center (ORC) at Madhu Church, which was operated by the government with support of UNHCR. At times it provided shelter for tens of thousands people. But as the defense line moved up north from 1995-96 onwards, many displaced people got the option of return and resettlement, and in the summer of 1999, the Madhu ORC was eventually closed. However, few months later the conflict erupted in Mannar District again, and in a few months between ten and fifteen thousand people came to seek shelter and protection at the Church as they had few alternative flight possibilities.

At the end of February 2000, Mannar District had an estimated 98,246 displaced persons, of which 29,098 are from other Districts, primarily Jaffna, and to a lesser extent Kilinochchi and Vavuniya. The details of the **displaced people** according to the Kachcheri are as follows:

	<b>Families</b>	<b>Persons</b>
<b>Mannar Cleared Area</b>		
In 4 welfare centers	1537	5907
With friends and relatives	3269	11998
Others	11072	42087
<b>Sub-total</b>	<b>15878</b>	<b>59992</b>
<b>Mannar Uncleared Area</b>		
In 5 welfare centers	5899	23261
With friends and relatives	2663	11419
Others	754	3574
<b>Sub-total</b>	<b>9316</b>	<b>3574</b>
<b>TOTAL</b>	<b>25194</b>	<b>98246</b>

A process of return and resettlement is also taking place within Mannar District. The figures for **returnees** are as follows:

	<b>Families</b>	<b>Persons</b>
Internally displaced, mostly from Puttalam	1120	4538
Indian returnees	5754	18670
<b>TOTAL</b>	<b>6874</b>	<b>23208</b>

**Resettlement** in the cleared area has taken place as follows:

	<b>Families</b>	<b>Persons</b>
Locally displaced (within the district)	6214	23116
Returned from other districts	1108	4443
Indian returnees	3194	12362
<b>TOTAL</b>	<b>10516</b>	<b>39921</b>

Large areas of the northern part of the District at present falls within LTTE occupied areas (uncleared areas) and are exposed to ongoing, armed confrontations. The same areas suffered great damage when the armed forces attacked LTTE positions in the mid-1990s. In these areas there are great needs for relief, but at present no possibility of engaging in rehabilitation activities in a larger scale. When that time comes, there will first of all be a need for physical rehabilitation, as much of the infrastructure and village facilities have been destroyed by shelling or from many years of neglect. Additionally, there will be a need to restore people's livelihoods, socially, economically and otherwise. Mannar Island can be considered stable now although there are occasional incidents, often involving the Sea Tigers. Rehabilitation activities have been implemented for the past few years." (DRC May 2000, pp. 22-23)

*For information on the socio-economic profile of Mannar district see "DRC Sri Lanka 2000-2003 : Annex 3", May 2000, pp. 51-52 [[Internal link](#)]*

## Vulnerable groups

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### Violence against displaced women not addressed by Government (July 2002)

- Displaced children in Welfare Centers vulnerable to abuse.
- IDP women subject to sexual harassment.
- Government has done nothing to address the very serious issue of violence against displaced women.
- A recent Amnesty International report notes a 'marked rise' in allegations of rape by police, army and navy personnel in 2001 and observes that among the victims of rape by security forces are 'many internally displaced women.'
- Lack of access to health care and food has been one of the main problems faced by refugee and internally displaced women generally.
- Conditions of existence of most of those resident in camps has resulted in particularly severe invasions of privacy, especially for women.

"Children are the prime victims of displacement. In Welfare Centres, children suffer most from malnutrition and bad health. Lack of privacy, disrupted family life and poverty have made them vulnerable to abuse. Education is a particularly urgent concern. Many displaced children, especially in Welfare Centres, do not attend school. The main reasons for non attendance are poverty, lack of schools and teachers, and bureaucratic obstructions.

The government has done nothing to address the very serious issue of violence against displaced women. Domestic violence is common in camps as is prostitution of women and girls." (CPA October 2001)

"Women and children constitute the largest group among displaced populations worldwide. In Sri Lanka, the number of displaced women exceeds those of the men significantly. In addition to the problems shared by other internally displaced persons, women also face gender-based discrimination and are exposed to gender-specific violence and exploitation. In 1993, the Representative of the Secretary-General reported that some women had been raped prior to being displaced. Incidents of rape in the conflict areas continue to increase. A recent Amnesty International report notes a '*marked rise*' in allegations of rape by police, army and navy personnel in 2001 and observes that among the victims of rape by security forces are '*many internally displaced women.*' The UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) in its recent Concluding Comments on Sri Lanka noted with alarm '*the high and severe incidences of rape and other forms of violence targeted against Tamil women by the police and security forces in the conflict areas.*'

The USCR team which visited Jaffna in November 1996 quoted an 'international organization official' who observed that '*rape in Jaffna is widespread*' and also a 'woman in Jaffna' who pointed out that women are '*scared to come out of their homes because of the fear of rape.*' The report went on to note that many instances have not been reported because of the fear of retribution and the social stigma attached to rape.

The collapse of community and family structures, including the support provided by the extended family, has made displaced women even more vulnerable. The UN Special Rapporteur on Violence against Women observed that lack of access to health care and food has been one of the main problems faced by refugee and internally displaced women generally. Women have also been forced to assume many of the responsibilities of family life after displacement. In some cases women have lost their husbands and thus

the burden of carrying on with family life has fallen exclusively on them. In other cases their husbands have been otherwise preoccupied and it is the wife who has had to shoulder the responsibility. The Sri Lankan experience shows that displaced women are more likely to seek work or engage in economic activity than men. There has also been a large increase in the number of female-headed households in the country. The UN CEDAW Committee noted with concern the high percentage of households headed by women, *'half of whom are elderly, many illiterate and have meager means of income.'* International human rights law recognizes the family as the basic unit of society and in need of protection and support.

Human rights law also protects the right to privacy. Displacement has affected this right in particularly significant ways. The conflict has affected the privacy of family life in situations where the family has remained intact and survived the conflict. The conditions of existence of most of those resident in camps has resulted in particularly severe invasions of privacy, especially for women. Their 'areas' of habitation are sometimes cordoned off only by old saris and other pieces of rag. A representative of a donor agency who visited Vavuniya in November 1996 observed that at least two women had been forced to give birth in the overcrowded, unhygienic detention centers in Vavuniya town. USCR observed that two babies were still-born in the Vavuniya detention centers in 1996." (Gomez, Mario July 2002, pp. 11-12)

### **100,000 Muslims have been displaced for 11 years (July 2002)**

- 100,000 Muslims displaced by the LTTE in 1990 continue to live in camps in Puttalam and Anuradhapura districts, where dry food ration distribution stopped in December 2001 and did not resume at least until May 2002.
- Following an agreement in April 2002, LTTE promised that Muslims would not be harassed and that they could start returning.
- After an absence of more than eleven years, Muslims seem to prefer group returns rather than individual returns, for reasons of safety and integrity of the community and on guarantees of social and economic sustainability.
- Land and buildings, such as houses and shops, owned by Muslims in several areas of the north are occupied by internally displaced Tamils, who after ten years of occupation have acquired titles to land and buildings.

"An estimated 100,000 Muslim people were displaced from the north, after an LTTE ultimatum in October 1990, ordering them to leave the region. Most of them now reside in refugee camps in Puttalam and Anuradhapura districts. In December 2001, dry food rations issued to these refugees were stopped. Following a meeting chaired by Rehabilitation minister Jayalath Jayawardena at the Puttalam *Kachcheri* (Government administration office), assurance was given that dry rations for the months of January and February will be issued in April. Refugees say that no dry rations had been issued by the end of May 2002.

Under an agreement between the LTTE chief V Prabhakaran and Sri Lanka Muslim Congress (SLMC) leader Rauf Hakeem on 15 April 2002, Muslims will be encouraged to return. The LTTE have assured that the Muslim people will not be harassed. Earlier attempts of Muslims to return to their home areas were not successful, because of continuing fears for safety. Muslim IDPs have welcomed the agreement, but many remain sceptical, pointing to an agreement between the LTTE and Muslim leaders in 1988 regarding safety of the Muslim community, which was not implemented. Seventy two Muslim families which returned to Jaffna after the ceasefire agreement this year, faced severe restrictions from the LTTE in carrying on their trades. As a result, 55 families have gone back to Puttalam.

After an absence of more than eleven years, Muslims seem to prefer group returns rather than individual returns, for reasons of safety and integrity of the community and on guarantees of social and economic sustainability. The living and economic environment in the original settlements of Muslim IDPs have suffered a state of natural destruction. Muslims are waiting for the root causes of displacement to be

addressed: to allow them to begin a fresh life in an atmosphere of peace and stability without the uncertainty over the peace process.

Land and buildings, such as houses and shops, owned by Muslims in several areas of the north are occupied by internally displaced Tamils. Some people are in occupation for more than ten years and may have acquired title to land and buildings under the laws of prescription. It has been suggested that prescription laws should be amended so that the Muslims and other IDPs have title to their property when they return to their home areas." (BRC July 2002, pp. 17-18)

### **Return of 25,000 Sinhalese IDPs may be problematic (July 2002)**

- Some 25,000 Sinhalese IDPs are living mainly in Polonnaruwa, Anuradhapura and Amparai districts. They have been displaced by LTTE attacks from Sinhalese villages on the border of the north-east region.
- It is hard to envisage the return of Sinhalese IDPs to their home areas, particularly those which lie within the north-east and may come under the control of the LTTE in an interim administration

"According to the Rehabilitation Ministry, there are some 25,000 Sinhalese IDPs mainly living in Polonnaruwa, Anuradhapura and Amparai districts. In December 2001, dry food rations to Sinhalese IDPs were also stopped, but restored later for a period of six months. The displacement of the Sinhalese took place after the LTTE carried out many attacks on Sinhalese villages on the border of the north-east region.

There has been no official statement by the LTTE similar to that relating to Muslim refugees, encouraging return to their home areas and guaranteeing their safety, although press reports say that the Tiger leader V Prabhakaran has welcomed the Sinhalese refugees. Without a successful peace agreement between the government and the LTTE on substantive political issues, which incorporates safety elements for all communities, it is hard to envisage the return of Sinhalese IDPs to their home areas, particularly those which lie within the north-east and may come under the control of the LTTE in an interim administration." (BRC July 2002, p. 18)

### **IDPs in the uncleared areas are particularly vulnerable (October 2001)**

- Little information available on the plight of the IDPs in the uncleared areas where an estimated 80% of the population is displaced.
- LTTE does not provide assistance to the displaced population under its control.
- Population struggles to meet its basic needs due to the shortages of food and non-food items, lack of employment opportunities and other constraints.
- Allegations that Army uses food as a method of combat and LTTE diverts food and other items.
- Embargo on "war-related" items further compounds the situation of the displaced.
- Vanni area accounts for 80% of the island's deaths from malaria.

"The plight of displaced populations in LTTE controlled areas deserves a special mention. Lack of media reporting coupled with the silence of aid agencies working in the 'uncleared' areas has meant that little is known of the living conditions of displaced families. This is of very serious concern as it is estimated that 80% of the total population of the 'uncleared' Vanni is currently displaced. These men, women and children suffer both at the hands of the LTTE and of the Sri Lankan government.

As far as can be ascertained, the LTTE does not provide relief for the large displaced population under its control. No assistance was given by them to those who fled Jaffna during the exodus in 1995. To this date many remain virtual prisoners in the Vanni as the LTTE imposes stringent restrictions on the movement of the civilians in areas under its control. Compulsory training and forced recruitment into its ranks, including of children, continues to be reported.

Lack of employment opportunities and economic infrastructure has made it particularly difficult for displaced populations in the 'uncleared' Vanni to meet their most basic needs. This is made worse by the current government policy on the provision of relief and other assistance to these areas. Only 50% of the dry food rations needed reaches those areas. Other food items to be sold in Multi Purpose Co-operative Society outlets are overpriced and in severely short supply. The recurrent shortages, delays and sudden blockades have given rise to the allegation that the Sri Lankan Army uses food as a method of combat. The LTTE has also been accused of diverting food and other items meant for displaced populations. Malnutrition is reportedly very severe.

The embargo on so called 'war related items' has further affected the welfare of those populations. Restricted items reportedly include kerosene, fertilisers, fishing equipment, construction materials, batteries, books, maps and ink, among others. Medical equipment and medicine are also subject to embargoes as well as delays and shortages. Poor hospital and transport facilities have further affected the health of civilians in those areas. The Vanni Districts account for 80% of island wide deaths from malaria." (CPA October 2001)

### **Tamil IDPs suffer from discrimination on ethnic grounds (October 2001)**

- Displaced Tamil men, women and children are not allowed to travel or resettle in any parts of the island, especially not south of Vavuniya or in the northern so-called 'uncleared' areas. The official terminology to designate IDPs residing in Welfare Centers is "inmates", in the custody of the State.
- IDPs in Vavuniya, and elsewhere, are subject to arbitrary arrest and detention and disappearance by the Army and other paramilitary groups.

"The treatment of Tamil IDPs island wide and in the North especially is clear evidence of discrimination on ethnic grounds.

Tamil men, women and children seeking safety from the Northern Districts are stopped in Vavuniya from proceeding South. When in Vavuniya, their movement is controlled by a pass system so complex and intricate as to baffle the most diligent. In effect, and save in very specific circumstances, Tamil displaced families are not allowed to travel or resettle in any parts of the island, especially not south of Vavuniya or in the northern so-called 'uncleared' areas. Due to this policy of segregation, Tamil IDPs in the North are prisoners in all but name. Indeed, the official terminology for displaced persons residing in Vavuniya's infamous restricted Welfare Centres is telling: residents are referred to as inmates, they may or may not be released from camps and are in the custody of the State.

Tamil IDPs are also particularly targeted for arrest and detention at the hands of the Security Forces or paramilitary groups. Round ups in camps and unreported arrests on the flimsiest suspicion by the Security Forces are common in Vavuniya camps. Paramilitary groups, such as PLOTE, TELO, EPDP, EPRLF 1 & 2, some of which assist the Sri Lankan Army, also abduct and detain IDPs. Both the Army and the paramilitary groups are responsible for an unacceptable number of arbitrary arrests, illegal detentions, torture, rape and 'disappearances.' " (CPA October 2001)

### **IDPs in settlements villages are the most vulnerable in the Vanni (October 2000)**

- IDPs in settlement villages and in settlements attached to existing communities represent perhaps the most significant vulnerable group in the Wanni.
- They are food insecure year-round, job opportunities are sporadic and/or seasonal, wages are low, and preference is given to residents over IDPs for the few jobs available.
- While IDPs do not seem to suffer extreme discrimination at the hands of local residents, neither do they enjoy the rights and benefits of fully empowered members of their communities.

"IDPs in settlement villages and in settlements attached to existing communities represent perhaps the most significant vulnerable group in the Wanni. They are food insecure year-round as they must depend on an inadequate ration for survival. Increases to their own production (now no more than 15% of food income) are highly unlikely as they face severe limits in access land and water resources as well as the same shortage of agricultural inputs that is affecting all farmers in the area. There is no incentive for significant investment in production systems given the high likelihood of future displacements. While daily wage labor is the best option for increased IDP household income, opportunities are sporadic and/or seasonal, wages are low, and preference is given to residents over IDPs for the few jobs available. Some IDPs, such as those in the village surveyed, can exploit nearby forests to complement other income sources but the majority of IDPs do not have this option. Livestock and household assets, the sale of which represent a key coping mechanism for many households in the Wanni, are not possessed in significant amounts by most IDP households. Finally, while IDPs do not seem to suffer extreme discrimination at the hands of local residents, neither do they enjoy the rights and benefits of fully empowered members of their communities. Much of their fate is in the hands of others." (CARE October 2000, p. 39)

## PATTERNS OF DISPLACEMENT

### General

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#### Half of the IDPs have been displaced at least 3 times (February 2001)

- Constantly changing military situation and fear of fighting cause pattern of repeated displacement.
- Three types of displacement: inter district, in-district and day and night displacement
- Most of the IDPs have been displaced several times.

"IDPs in Sri Lanka present three distinct trends:

Those in and around Vanni, who are constantly on the move. As the theatre of the war changes, battle lines are redrawn and the displaced people keep moving in the fluid situation.  
Those who have been living in welfare centers for years like in Puttalam.  
The returnees from India who are still waiting to go back but are unable to do so because of the war in their village. Mostly located in Trincomalee.

In terms of the pattern of displacement, they belong to four categories:

Those displaced from another district.

Those displaced within the same district

Returnees from India

Persons of concern, i.e. the economically affected non-displaced people." (Ahmad 19 February 2001)

**Dynamics of displacement:** One of the characteristics of the on-going conflict is the repeated displacement of people, thus increasing their vulnerability and dependence. Due to the constantly changing military situation on the ground, changing frontlines, and security incidents, the demographics of the population are also constantly subject to change. On top of that there is a general sense of insecurity arising out of the fear of being caught in the fighting. This constant fear heightens people's preparedness to move. Many actually move at the slightest sign of danger. Compounding this uncertainty is the lack of access to basic shelter, health services, and education and employment opportunities.

**Types of displacement:** There are different types of displacement including *inter district*, *in-district* and even *day and night displacement*. Examples of the latter provide the night displacement in Jaffna and in Trincomalee district. In Trincomalee Sinhalese villagers of so-called colonised areas have repeatedly become victims of physical attacks and threats by the LTTE over the year and have left the area for Anuradhapura. In Madhu Open Relief Centre residents move during the day to cultivate their land and return in the evening where they prefer the relative safety of the Open Relief Centre and the presence of humanitarian agencies.

**Phenomenon of multiple displacement.** Since the outbreak of communal violence and ethnic conflict in 1983, many families have been displaced several times. In some cases families have been compelled to move more than five (05) times. For example the 2000 UNHCR Madhu population sample profile shows that 21,7 % of the 281 families interviewed were displaced five (05) times or more, as against 30.7 % being displaced three (03) times. (UNHCR November 2000, pp. 3-4)

## PHYSICAL SECURITY & FREEDOM OF MOVEMENT

### General

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#### Improvement of human rights situation critical to successful return (August 2002)

- Reports received show continued human rights violations, particularly of rights of women, children and other groups at risk;
- Since the cease-fire agreement was signed in February 2002, it is reported that underage recruitment has significantly decreased. However UNICEF has received unconfirmed anecdotal reports that the problem still exists.
- A mental health needs assessment concentrating on people living in the welfare centres found that 63% had suicidal thoughts, 66% had bad memories of displacement or death of a family member and 87% had constant feelings of insecurity;

"-Two decades of civil conflict has brought about an increase in violence in Sri Lanka, with a consequent rise in violations of human rights, especially amongst the IDP population. Although there is only limited quantitative data, reports received show continued human rights violations, particularly of rights of women, children and other groups at risk;

-Over 100,000 IDPs have moved spontaneously since February 2001 in an attempt to return to their home. It should be noted that it remains unclear what the weekly/monthly movement trends are at present;

-Some 5,000 Sri Lankan refugees are expected to return voluntarily by the end of 2002 mainly from India;

-More than 1,000 refugees returned from India on their own by boat in April and May 2002. Independent returns of this nature are expected to rise in the future;

-The creation of conditions conducive to return is of the utmost priority. A key component of this is to improve the human rights situation; UNHCR and its partners will continue to deal with cases of harassment, extortion, and intimidation and to ensure that returnees have full access to their property;

-Since the cease-fire agreement was signed in February 2002, it is reported that underage recruitment has significantly decreased. However UNICEF has received unconfirmed anecdotal reports that the problem still exists. Even if child recruitment has stopped or will soon stop, the issue of rehabilitation and reintegration of former child combatants is of crucial importance. UNICEF is currently carrying out an 'Every Child Back to School' programme in the Vanni using compulsory education as a deterrent to child recruitment;

-Children of both the returning IDP population and the families that never left have specific psychosocial needs. A mental health needs assessment concentrating on people living in the welfare centres found that 63% had suicidal thoughts, 66% had bad memories of displacement or death of a family member and 87% had constant feelings of insecurity;

-Birth registration is an immediate protection priority, as the lack of birth certificates for Sri Lankan children can disadvantage them by limiting access to schooling and increasing their vulnerability to child labour." (Government of Sri Lanka & UN 23 August 2002, p. 24)

### **Commission on Human Rights examines the status of IDPs (July 2002)**

- Human Rights Commission established in 1997 has until 2000 only had a marginal impact on the advancement of human rights in the country.
- In 2000, the Commission identified IDPs as a particularly vulnerable group and a segment of the population that required its attention and decided to initiate a study into the status of the displaced.
- The study was intended to advise the Commission on the activities it could initiate, both in the short term and medium term, prioritize areas of intervention and identify possible areas of collaboration between the Commission and other organizations working in the IDP area. Also it sought to ascertain the potential to apply the Guiding Principles on Internal Displacement.
- The results of the study contained a number of recommendations for strengthening the capacity of the Human Rights Commission in the area of internal displacement

"In response to both international and domestic pressures, the Sri Lankan Parliament passed legislation in 1996 establishing a permanent Human Rights Commission (HRC). In March 1997, seven months after the legislation was passed, the first Commissioners were appointed and the Commission started functioning in July. The first Commissioners, who were all male, moved cautiously in interpreting their mandate and focused mainly on receiving and resolving complaints from individual victims or persons acting on their behalf. While the Sri Lankan human rights movement had great expectations for the Commission, the Commission's profile during its first three years was low and public awareness of its activities was limited. It had only a marginal impact on the advancement of human rights in the country.  
[...]

The new group of Human Rights Commissioners who took office in 2000 and who for the first time included a woman, envisaged a broader role for the Human Rights Commission. Apart from investigating and mediating individual complaints, the new Commission decided at an early stage to engage in and promote human rights education, investigate systemic and group violations of human rights and to examine law and policy for their compatibility with international human rights norms. The Commission also decided to work in partnership with NGOs and other civil society organizations in implementing its mandate.

One of the Commission's early decisions was to examine the status of vulnerable groups and to consider the role that the Commission could play with regard to these groups. At least three groups were identified: women, persons with disabilities, and internally displaced persons. The Commission saw IDPs as a particularly vulnerable group and a segment of the population that required its attention. Until that time the Sri Lankan Commission had not examined human rights violations pertaining to IDPs although Sri Lanka had a fluctuating population of between 500,000 to one million IDPs for more than twenty years and the conditions under which they lived were harsh.

The new Commission decided to initiate a study into the status of the displaced. It should be noted that under the Human Rights Commission Act of 1996, the Commission was given the power to undertake research with regard to human rights and to disseminate and distribute the results of such research. It also was authorized to advise and assist the government in formulating legislation and administrative directives and procedures with a view to promote and protect fundamental rights.

Since displacement had been affecting the human rights of a significant part of the Sri Lankan population for a number of years, the Commission sought to generate a set of findings and recommendations that would identify a role for the Commission in this area and help it intervene in an effective and sustained way. Its study was intended to advise the Commission on the activities it could initiate, both in the short term and medium term, prioritize areas of intervention and identify possible areas of collaboration between

the Commission and other organizations working in this area. Another purpose of the study was to ascertain the potential for applying the Guiding Principles on Internal Displacement in Sri Lanka. At the international level, as earlier noted, the Representative of the UN Secretary-General on Internally Displaced Persons had developed Guiding Principles culled from international human rights law, humanitarian law and refugee law by analogy. These Principles constitute a set of human rights standards that should apply during the different phases of displacement – pre-displacement, during displacement and during return or resettlement and reintegration.

The Asia Foundation's Colombo office facilitated and supported the Human Rights Commission study. A number of preliminary meetings were held at which representatives of the Commission, human rights groups and domestic and international humanitarian organizations participated. One of the conclusions of these meetings was that there already existed a number of studies on internal displacement in Sri Lanka. Rather than initiate a new study, it was agreed that the Commission's study would focus on collating the existing studies with little additional field work. Based on already existing literature, the study would develop a set of recommendations for the Commission. Interviews with key individuals and organizations would supplement this approach.

Three NGOs were then commissioned to collaborate in the study. Following a process in which the Asia Foundation, on behalf of the Human Rights Commission, wrote to a number of domestic NGOs and think tanks to ascertain their interest in carrying out the study, the following organizations were selected: the Center for Policy Alternatives (CPA), the Consortium of Humanitarian Agencies (CHA) and the Law & Society Trust (LST).

[...]

The study commenced in April 2001 and its findings were released in August 2001. Preliminary findings were shared among the three organizations, which maintained close contact with each other.

Overall, the study contained a number of recommendations for strengthening the capacity of the Human Rights Commission in the area of internal displacement." (Gomez, Mario July 2002, pp. 4-8)

### **Noticeable improvement in the human right situation since the ceasefire but still a lot to be done (April 2002)**

- Improvements in the area of Human Rights have been observed since the cease-fire, although no measures have been taken to redress past human rights abuses.
- There are concerns that efforts being made by the GSL, including the SLA, to prevent further violations of human rights, are not necessarily replicated by the LTTE.
- Freedom of movement remains restricted in the LTTE-controlled Vanni.
- Recurring acts of intimidation and repression of the civilian population, the extortion of 'war taxes', forced recruitment and abductions for ransom, are still being reported.
- There have been reports of further child recruitment, particularly by the LTTE.
- Issues related to domestic and/or sexual violence, principally in the welfare centers, also needs to be addressed.
- There is limited programming to establish national protection and conflict resolution mechanisms.

"Since the cease-fire, there has been a noticeable improvement to the human rights situation throughout the country, albeit no measures have yet been taken to redress past violations. In addition to reducing further displacement, these improvements also benefit IDP populations in their current locations by increasing their prospects for durable solutions, especially their return to areas of origin.

Article 2.1 of the cease-fire MOU provides that *'the parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment'*. Although the list of 'protected' rights is not exhaustive, both sides tend to interpret that other rights, such as the freedom of movement, freedom of expression and freedom from unlawful detention, are not covered by the MOU. Thus, they are not incorporated into the monitoring arrangements put in place to verify the fulfilment of the agreement. It has further been suggested that the Norwegian-led Sri Lanka Monitoring Mission may be hesitant to include monitoring of human rights violations as part of its regular functions, as this might jeopardize the peace process.

***Distrust between ethnic groups:***

Despite overall improvements, there are concerns that efforts being made by the GSL, including the SLA, to prevent further violations of human rights, are not necessarily replicated by the LTTE, as continued violations in areas under their control, and even beyond, are still being reported. At a general level, much mistrust between ethnic groups remains, and, if not properly addressed, can be counter-productive to the peace process.

***Freedom of movement:***

Freedom of movement remains restricted in the LTTE-controlled Vanni. In particular, movements from the Vanni to the south and to the Jaffna peninsular is closely controlled and only one member of a family is permitted to travel out of the region at any one time. Movement to the east, however, is less restricted. Thus, there is concern that the right to freedom of movement is manifesting itself as a politically motivated strategy by the LTTE to re-populate strategic geographical areas. Likewise, return movements sponsored by the GSL under its 'crash return' programme may also have political underpinnings.

Close monitoring by the international community, and forceful intervention when and as required, is necessary to ensure that return movement are indeed voluntary and that there are no political or other undue motivations behind them.

***Safety and security:***

Safety and security of the population is a general concern throughout the war-affected areas. Recurring acts of intimidation and repression of the civilian population, the extortion of 'war taxes', forced recruitment and abductions for ransom, are still being reported albeit it at a reduced rate, particularly in the LTTE-controlled areas.

An overriding concern with respect to the safety and security of IDPs is the all-pervasive presence of land mines and UXOs. Concerted efforts must be made by the international community to obtain commitments from both parties to desist from further mine-laying and to fully participate in ongoing mine-awareness and de-mining programmes. Donors indicated to the Mission that resources for de-mining would flow more freely as soon as the GSL ratifies the Ottawa Land Mine Treaty. This gesture, though, would require a similar commitment on the part of the LTTE.

***Forced recruitment and detention:***

A major concern in the past has been that of forced recruitment, especially of under-aged children. Even after the cease-fire, there have been reports of further child recruitment, particularly by the LTTE. Moreover, the MOU does not address the issue of releasing those forcefully recruited in the past. Similarly, while no further detentions under the Prevention of Terrorism Act have been reported since February, no review process of persons previously detained under the Act has yet begun.

***Women-headed households:***

The particular needs of women-headed households also require urgent attention. A more consistent and concerted effort is required to reduce the high dependency rate of the large number of war-widows. Issues related to domestic and/or sexual violence, principally in the welfare centers, also needs to be addressed, both through prevention activities, but also through psychosocial support to those who have been

traumatized by these acts. Likewise, unaccompanied or otherwise vulnerable minors are also in need of enhanced protection.

***Monitoring protection:***

Presently, there is limited programming to establish national protection and conflict resolution mechanisms. The LTTE has set-up its own police and judicial structures, but these lack legitimacy and are not regarded as adequate nor accountable mechanisms. With the establishment of the proposed Interim Council that will administer the LTTE-controlled areas, priority must be placed on addressing this issue as it will serve as an important confidence building process and will foster conditions conducive to return.

UNHCR, as part of its traditional functions, is monitoring the situation of IDPs in areas of displacement. Although not promoting return at this stage because conditions remain uncertain, it is expanding its field presence and monitoring capacity to areas of prospective return. It is also collaborating closely with local institutions such as the Human Rights Commission and the Legal Aid Foundation.

In addition to existing monitoring mechanisms, there is a need to expand the international monitoring capacity in order to create a 'culture of human rights respect' that is so essential in post-conflict situations. A presence of the UNHCHR would, therefore, be a welcome addition and would help strengthen the commitment of both parties to the respect for the rights of people." (IDP Unit April 2002, pp. 6-8)

**New Emergency Regulations erode protection of human rights (January 2001)**

- According to AI, the New Emergency Regulations promulgated by the Government in May 2000 considerably extend the already excessive powers conferred to the Security Forces and further erode the human rights situation in the country.

"In May 2000, the President of Sri Lanka promulgated new emergency regulations which confer powers of arrest to "any authorized person" in addition to the police and armed forces and considerably extend the powers to detain available to them. The regulations also provide wide powers of censorship; provisions for prohibiting public meetings and processions; and broad provisions for proscribing organizations which the President considers to be prejudicial to national security, public order or the maintenance of essential services.

The emergency regulations which were in force up to 3 May already granted powers which considerably exceeded the limits permissible under the International Covenant on Civil and Political Rights (ICCPR), which Sri Lanka acceded to in 1980. The excessive powers available under emergency regulations and their contribution to human rights violations have been commented on by a number of international and local human rights bodies over the years. Most recently, for example, the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) recommended that the emergency regulations in force at the time of its third visit to Sri Lanka in October 1999 "should be abolished or otherwise brought into line with internationally accepted standards of personal liberty, due process of law and humane treatment of prisoners". Far from complying with its obligations under international human rights law, however, the Sri Lankan government has instead further eroded the human rights guaranteed in international human rights treaties with the emergency regulations promulgated on 3 May 2000 and their subsequent amendments.

[...]

Since the introduction of the new emergency regulations, there has been an increase in the number of reports of torture. In addition, the methods of the torture reported appear to have become more severe than before and there have been at least two reports of detainees dying in custody as a result of torture. While Amnesty International cannot provide conclusive evidence linking this emerging trend to the new emergency regulations, it is concerned that the wider powers given to the security forces may be resulting in an increase in torture, "disappearances" and deaths in custody." (AI 7 January 2001)

## **Movement-related needs**

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### **Supreme Court declares pass system illegal (September 2002)**

- Pass system in force in Vavuniya ended with the ceasefire. In September the Supreme Court declared that the military pass violated the freedom of movement.
- Apart from LTTE cadres who still have to register with the authorities before traveling to a government-controlled area, Tamils are now allowed to do so without having to register.
- The pass system was simplified in February 2002 from 24 different types of travel passes to only 3.
- The lifting of travel restrictions will do much to reduce harassment of the Tamil minority

"In early September, the Supreme Court declared that the military pass system which was in force in Vavuniya violated the provisions of the Constitution relating to freedom of movement. Anyone entering, leaving or living in Vavuniya were forced to obtain a permit. The system ended with the signing of the ceasefire agreement. The legal action had been brought by Peter Vadivel, a resident of the Sithamparapuram refugee camp in Vavuniya. The court awarded Rs 30,000 (\$310) compensation to Mr Vadivel." (BRC September 2002)

"Officials in the Sri Lankan interior ministry say they have lifted travel restrictions on Tamil civilians with immediate effect. Until now all Tamils travelling to the south from the northern district of Vavuniya have had to obtain a special pass and then register with the police on arrival.

According to the Secretary to the Interior Ministry, MN Junaid, restrictions on travel are being lifted - with the exception of rebel cadre who under the permanent ceasefire agreement are supposed to register with the authorities when travelling to government controlled areas. Until recently Tamil civilians living in the northern district of Vavuniya had to apply for one of 24 types of travel passes. Last month the system was simplified to just three passes but Tamils coming from anywhere in the north and east were all required to register with their local police station on arrival in the capital Colombo.

### **Goodwill gesture**

In practice the police registration requirement had recently been relaxed as had the requirement for civilians in the northern town of Jaffna to obtain security clearance from the army before travelling to the south by air or sea.

The lifting of travel restrictions will do much to reduce harassment of the Tamil minority who used to have to give the names of two people who would act as guarantors for them to obtain a travel pass. Often the guarantors would demand money for the service.

Under the permanent ceasefire agreement with the Tamil Tigers the government had already agreed not to use anti terrorism legislation to search and detain suspects. But officially restoring freedom of movement will only add to the greater sense of security of Tamil civilians living in government areas and build much needed goodwill." (BBC 4 March 2002)

### **LTTE allows civilians to leave the Vanni but extracts a "travel pass" fee (February 2001)**

- Despite occasional disruptions on the movement of IDPs, the LTTE allowed people to move more freely into government controlled areas following the governmental capture of Jaffna.
- During the Secretary General's Special Representative for Children in Armed Conflict' visit to Sri Lanka, the LTTE committed to allow freedom of movement for displaced populations (May 1998)

"Prior to 1996, the LTTE severely restricted the movement of Tamils under its control, often levying a large "exit tax" on persons who sought to travel to areas under government control and requiring travelers to leave all their property in escrow. In addition it usually would allow only one family member to travel at a time. Following the Government's capture of Jaffna, the LTTE began to allow persons to move more freely into, government-controlled areas, although it still extracts a small fee for "travel passes" to leave the Vanni, and it rarely allows entire families to leave at once. The LTTE occasionally disrupts the flow of persons exiting the Vanni region through the one established and legal checkpoint. The LTTE also disrupted the movement of IDP's from Trincomalee to Jaffna by hijacking or attacking civilian shipping." (U.S. D.O.S February 2001 sect. 2.d)

"[...] the LTTE leadership made the commitment that the movement of displaced populations who want to return to areas now under control would not be impeded. The LTTE leadership also gave the commitment that there would be no impediment to the return to their homes of Muslim populations. The LTTE accepted that a framework to monitor these processes should be put in place. [...]" (UN May 1998)

### **Pass system restricts freedom of movement (December 2000)**

- Freedom of movement of Tamils in the North curtailed by a rigid pass system.
- The 14 different passes available to Tamils usually range from a few hours to three months, and queuing for them can take several hours.
- Often people are not given passes at all, or they must wait for months, even if they urgently need to go south for example for medical reasons since most medicines are unavailable in the North.
- Having on one's person a pass and a national identity card is essential. Being without them can lead to inconvenience at the least and "disappearance" at the worst.
- Since June 2000, once in the welfare centres, the displaced people may also apply for three-month passes to work in Vavuniya, if they can find a job, although they must return to the camp at night.

"The freedom of movement of Tamils in the north is severely curtailed due a rigid pass system imposed by the Sri Lankan army. A pass system operating in the name of preventing "terrorists" getting to Colombo makes life very difficult for Tamil civilians.

With the pass system, people are divided into a range of "pass categories". There are 14 types of passes issued in Vavuniya Division, to enter, to stay and to leave. Vavuniya is the border town which separates cleared (army-controlled) and uncleared (rebel-held) areas and people coming from the conflict zones need to pass through this town to move on to any other place. The passes available to Tamils usually range from a few hours to three months, and queuing for them can take several hours.

It is very hard for Tamils from the north to go south, impossible unless they hold a permanent pass (not many do) or unless they find a permanent pass holder in the south to sponsor them. Those coming from uncleared or semi-cleared (area re-claimed by the army but not constantly under its control) zones are usually denied passes for entry into the south, as are those staying in welfare centres, unless their relatives stand surety.

Travel south for any reason, including medical treatment, further studies, attending a family function, like a wedding, requires a pass. Civilians in Mannar town said: "Getting treatment when we are ill is one of the

biggest problems. It is next to impossible to get proper treatment here if you are ill. If a child is seriously ill, usually no one is allowed to go with them to Colombo, they must go alone. The patient can go in an ambulance, but his parents, or anyone else, are not allowed to go in the vehicle. They must go with the bus and get a special pass."

Shortages of medicine and adequate hospital facilities in the north make it necessary for civilians to travel south, especially if they suffer from some chronic condition. One man said: "I am a heart patient. I had to go to Colombo for a check-up and I experienced so many problems." Another man, Nicholas, an internally displaced person living in a welfare centre in Mannar district, has kidney problems. His wife explained: "He needs medicine, but they have not given him any, as there is an embargo on some medicines in the northern areas. To leave the camp to get medicine, a pass is needed, which is difficult to get, and then long hours of travel by road to reach the hospital. Since only one-day passes are given, he would have to be back by the evening. It is however a little easier for him to get a pass because he has a medical certificate." Often people are not given passes at all, or they must wait for months, even if they urgently need to go south. "There was a case of an elderly woman who wanted to take a two-year-old girl, her niece, down to the south for medical treatment. They were not issued passes for over six months," a priest said. One way of getting a pass in good time is by bribery.

If people get a pass and head south, they are subject to inconvenience and indignities during their journey. "When we need to go out of our district to the south, we must suffer very much. By the time we reach our destination, it is almost dark," said women from Mannar town. "Passengers, especially women, are asked to go down at every checkpoint - some are only five minutes apart - and this means harassment. Male soldiers do not only search our bags; they also do a body search. They touch our bodies, and this is unacceptable."

In the north, movement from other places to Vavuniya is only allowed with a Vavuniya travel pass in which the number of days of the visit must be clearly stated. Applicants for a pass must give full details of the purpose of their visit. Civilians from Pesalai village, Mannar Island, said: "The pass system is one of the worst problems we face. It takes almost a whole day to get a pass to go to Vavuniya, first applying in Pesalai, then in Mannar town. We must convince the army of our good character. If we need to move out of Vavuniya, we cannot proceed to the second location; we must come back here first to get another pass. So if my son goes to hospital, I cannot go with him, I must come back here first."

Having on one's person a pass and a national identity card is essential. Being without them can lead to inconvenience at the least and "disappearance" at the worst. Round-ups by the security forces to check for ID cards and passes often take place. A recently recorded case of disappearance, which took place in May, followed a call to go to the CID office in Mannar because of a lost ID card. "If we need to renew our pass, and we go on the last day, because we are unable to go at any other time, the security personnel give us a very hard time. Sometimes they even beat us," said civilians in Mannar town.

People coming from uncleared areas are not allowed to move freely in Vavuniya. They are kept in a transit camp until they are "cleared" at which point they are moved to a welfare centre, where they may be "released" if they can find a sponsor. Once in the welfare centres, the displaced people may also apply for three-month passes to work in Vavuniya, if they can find a job, although they must return to the camp at night. This is a recent development, reflecting a change in policy as the centres were previously "closed".

The change, made in June 2000, took place because "people were complaining very much, they have been in the centres for a long time", according to reliable sources. "Besides, the government is now giving dry rations to displaced people instead of a money allowance, and people are hard put to survive on the rations alone. So they have been given passes to work."

If someone who is "released" from the welfare centre (it takes some three months to be permanently released to Vavuniya) wishes to go to Colombo, it will take almost five or six months to get clearance, if at all. "This is not encouraged because people in the south do not feel safe with 'these people' from the Vanni, all of whom are suspected of being rebels. Getting clearance for Colombo is very hard," said sources." (JRS December 2000)

## Life and personal security/ personal liberty

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### Landmines have been laid in some of the most heavily populated areas (August 2002)

- No reports of new use of mines by either government or rebel forces since December 2001.
- Sri Lanka's Defense Secretary has estimated that there are some 700,000 mines in the ground.
- Mines have been laid in some of the most heavily populated and most fertile areas.
- The anticipation of imminent movement of Internally Displaced Persons (IDPs) is creating serious concern regarding the need for mine clearance, minefield marking and mine risk education.
- 25,000 landmines are estimated to be planted in Sri Lanka by both the Government and the LTTE.
- In every village of 200 families there are about 10 persons who have lost one or both legs.

*"Key developments since May 2001:* There have been no reports of new use of mines by either government or rebel forces since December 2001. A formal cease-fire agreement came into force on 23 February 2002. In January 2002, for the first time, a leader of the LTTE rebels expressed support for a ban on antipersonnel mines. Sri Lanka's Defense Secretary has estimated that there are some 700,000 mines in the ground. The cease-fire is finally enabling significant mine action activities, but there is great concern about mine dangers to displaced persons as they begin to return home. In March 2002, the World Bank committed US\$1 million for a new UNDP-led mine action project. UNICEF has resumed mine risk education programs in Jaffna. It would appear that reported new mine casualties increased during 2001, to more than 300.

[...]

The use of antipersonnel mines has resulted in large areas of fertile agricultural land, urban areas, roads, water resources, and livestock in the northern and eastern parts of the country being seriously affected, particularly in Jaffna and the Vanni. Unfortunately, mines have been laid in some of the most heavily populated and most fertile areas.

Sri Lankan Defense Secretary Austin Fernando estimated that the peninsula's roads and farmlands are riddled with around 700,000 mines planted by government forces and the LTTE. In 1999, the government had estimated that 25,000 mines were planted. The LTTE has estimated that there are now two million antipersonnel landmines in the areas under LTTE control.

In April 2001, the UN reported that antipersonnel mines were threatening the resettlement of displaced persons in LTTE-held areas. The problem is only rising in scale with the cease-fire in place. The anticipation of imminent movement of Internally Displaced Persons (IDPs) is creating serious concern regarding the need for mine clearance, minefield marking and mine risk education. Indeed, it has already been reported that thousands of displaced people are spontaneously returning home before mine clearance has occurred.

The UN Mine Action Service (UNMAS) conducted a mission to Sri Lanka, from 4-22 June 2001, to assess the landmine and mine action situation. It found, among other things, that minefields are physically marked, but the marking is often decayed and insufficient." (ICBL August 2002)

"Landmines are a growing threat to civilians in the north and east of Sri Lanka. Used by both sides in the war, they often kill or maim innocent people. The LTTE uses mines to demarcate its territory and camps, and the army surrounds its camps with them. Landmines are often planted by the army in villages it captures in the uncleared areas. Landmines are also planted in the no man's land between the cleared and uncleared areas.

'Landmines are still being used. The head of the army told me: 'We need them (mines) for our security.' But here in Batticaloa, the only security the mines provide is to the army camps. In the perimeter of the camp, there are double barbed wire fences and the space between the fences is mined,' said Harry Miller SJ. The problem will become more serious when the army camps are vacated, as the mines will remain buried. 'We have mine victims, at present not as many as there will be, because most of the camps are still occupied by the army,' continued Fr Miller. 'The army head assured me it was alright because the army had maps noting where the mines are. But as I told him, the army knows where the mines are, civilians do not.'

In the past few months, landmines have become a manifest problem in the Vanni region, according to a humanitarian worker there. Areas in the Vanni wrested from army control by the LTTE are riddled with anti-personnel landmines left behind by the army. People who are displaced by war are often unable to go back to their homes because of the threat of landmines, even if these areas have been declared clear by the LTTE.

'Landmines, unexploded mortar shells, vehicle mines, buried in areas vacated by the Sri Lankan security forces (where their camps were based) pose an ongoing threat to people in the Vanni. The number of victims is on the increase,' the humanitarian worker said. ' In Kilinochi alone, about 35,000 anti-personnel mines were recently unearthed by the White Pigeon Organisation which has undertaken a mine clearance program in the region with UNICEF.'

The humanitarian worker said he recently visited families at a place called Unapulavu near Mullaitivu. 'The villagers cautioned me to keep to the roads and footpaths which are in use and not to wander elsewhere. Certain paths in this little village are infested with landmines,' he said. 'Thirty-five such mines were unearthed recently from the backyard of just one house.' (JRS December 2000, "Victims of War")

### **Many IDP women raped while in custody (January 2002)**

- Incidents of rape are common in the context of the armed conflict in Sri Lanka.
- Many IDP women are victims of rape.
- Complaints of rape, like other complaints of torture, are often not effectively dealt with by police, magistrates or doctors
- To AI knowledge, not a single member of the security forces has been brought to trial in connection to incidents of rape in custody.

"In Sri Lanka, like in many other countries, incidents of rape in the context of armed conflict such as the above examples are reported on a regular basis.<sup>2</sup> During 2001, Amnesty International has noted a marked rise in allegations of rape by police, army and navy personnel.

Among the victims of rape by the security forces are many internally displaced women, women who admit being or having been members of the LTTE and female relatives of members or suspected male members of the LTTE. Some reports of rape in custody concern children as young as 14.

Complaints of rape, like other complaints of torture, are often not effectively dealt with by police, magistrates or doctors. Deficiencies in the early stages of the criminal investigation process have repeatedly contributed to the ultimate collapse of the investigation of the alleged rape and the prosecution of the alleged perpetrators.

Alarmed at the apparent rise in reports of rape, Amnesty International on 4 April 2001 wrote to the President of Sri Lanka urging her to take action to stop rape by security forces and bring perpetrators to justice. The appeal followed reports of rape by security forces in Mannar, Batticaloa, Negombo and Jaffna,

including the rape of Sinnathamby Sivamany and Ehamparam Wijikala described above. To date, no response has been received to the appeal.

In March 2000, the United Nations Special Rapporteur on violence against women (hereafter the Special Rapporteur), who herself is a Sri Lankan national, expressed grave concern over the lack of serious investigation into allegations of gang rape and murder of women and girls. The Special Rapporteur expressed the hope that every effort would be made to prevent further violations through the investigation of alleged incidents and the prosecution of alleged perpetrators in a manner consistent with international human rights standards. In its response, the government provided details regarding the progress of investigations into two of four individual cases raised by the Special Rapporteur. It also stated that 'every case of alleged criminal conduct committed by the armed forces and police has been investigated and the perpetrators prosecuted, although there may have been unavoidable legal delays'. Contrary to the government's assertion, to Amnesty International's knowledge, not a single member of the security forces has been brought to trial in connection to incidents of rape in custody although one successful prosecution has been brought in a case where the victim of rape was also murdered. An analysis of the cases in which investigations were conducted and trial proceedings initiated suggests that the authorities are far more inclined to take action if there is a considerable amount of public pressure." (AI January 2002, pp. 3-4)

### **IDPs inadequately protected during and after displacement (October 2001)**

- Both sides do little to ensure safety of civilians in war affected areas.
- Displaced families are sometimes relocated in unsafe areas without being asked for their consent.
- Allegations that IDPs are used as human shields.

"Little is done by either the Army or the LTTE to ensure the safety of the civilians in war affected areas, which has led to multiple displacements of these populations. During and after displacement, the government of Sri Lanka has repeatedly failed to adequately ensure the welfare of those fleeing.

Civilians in areas bordering the conflict zones are particularly vulnerable to threats of attacks by the LTTE. Few steps have been taken by the authorities to ensure the safety of the residents of border villages. In fact, a number of Sinhalese landless people have been settled in unsafe areas near the front line in the east and have since been attacked and displaced.

Rarely are displaced families asked for their consent when they are relocated, such as in the case of the recent 'crash' relocation programme in Vavuniya and Mannar. As a number of the locations identified for relocation are north of Vavuniya town and very close to the front line, the programme has given rise to allegations that IDPs are being used to shield military installations. IDPs further fear that the LTTE will abduct their children or attack their settlement. These security concerns are not addressed." (CPA October 2001)

### **IDPs in welfare centers at risk of "disappearing" into the hands of Security forces (February 2001)**

- As of February 2001, an estimated 23,000 IDPs are accommodated at 12 Welfare Centres.
- Security Forces and allied Tamil groups try to identify LTTE members among the IDPs and there have been reports of "disappearances" and torture of IDPs.
- Since the promulgation of the New Emergency Regulations in May 2000, detainees can now lawfully be held in unauthorized places of detention.

"For years, Vavuniya has housed tens of thousands of displaced people from the areas most affected by the armed conflict in Sri Lanka, including the 'Vanni', an area north of the town which is largely under LTTE control.

An estimated 23,000 internally displaced people are currently accommodated at 12 "welfare centres" in the area. They are all required to obtain a pass relevant to their circumstances when they arrive in Vavuniya. There are 14 different types of passes in force in Vavuniya, each with different validity, eligibility and duration.

Security forces personnel and armed Tamil groups working alongside them play an active role in trying to identify possible LTTE members among the internally displaced population. There have been regular reports of torture and "disappearance" after they have taken people into custody. Many of the "disappeared" are suspected to have been tortured to death in illegal places of detention.

Until May 2000, it was a legal requirement that places of detention had to be designated and published in the official Gazette. After the introduction of new emergency regulations, that is no longer the case and detainees can now lawfully be held in unauthorized places of detention. Amnesty International is concerned that the removal of such safeguards have increased the possibility of prisoners being held in secret detention and tortured." (AI 15 February 2001)

## SUBSISTENCE NEEDS (HEALTH NUTRITION AND SHELTER)

### General

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#### **Many health institutions in the North-east damaged or destroyed by the conflict (August 2002)**

- Many health institutions in the North and East have been destroyed or damaged by the conflict or are closed for either want of manpower and drugs or for security reasons..
- Shortages are particularly acute for specialists for the secondary and tertiary care institutions and the field level health workers.
- Thanks to the international agencies who are providing both curative and preventive services both in the cleared and in the un-cleared areas, the people in NEP are able to maintain a reasonable level of health.
- Absence of medical and other para-medical personnel, basic facilities and support systems is impeding health care delivery.

"The Sri Lankan Public Health Services has been a model for a developing country's health care worldwide. The country achieved remarkable health status indicators with less expenditure on health than many other countries with nearly 10 times its income level. Life expectancy at birth at present is 75.4 years for women and 70.7 for men, maternal mortality is 15.4 with a neonatal mortality of 0.9/1000. The immunisation coverage is between 95 and 99%. (Source Annual Health Bulletin 2000). Except in the NEP, health care of some sort is available within 4.8 Km on average.

The conflict has affected the entire country but the most devastating impact has been in the North-East and specially more intense in the North. Many health institutions have been destroyed or damaged. Some are closed for either want of manpower and drugs or for security reasons. There had been a manpower shortage even before the conflict but the situation worsened with the onset of the conflict. There is shortage of almost all the categories of health staff but more so with specialists for the secondary and tertiary care institutions and the field level health workers such as the Family Health Workers or Public Health Midwives. [...]

Although the Government health services provision and some infrastructures exist in the conflict affected areas, the delivery system lacks adequate facilities in terms of infrastructure, equipment and personnel especially at the primary care level. The situation is critical on the preventive side, which makes provision of adequate health services to the resident population difficult, let alone the Internally Displaced Persons (IDPs). Thanks to the international agencies who are providing both curative and preventive services both in the cleared and in the un-cleared areas, the people in NEP are able to maintain a reasonable level of health. Some of the international NGOs active in the conflict affected areas are MSF-France, MSF-Holland, MEMISSA, SCF-UK, SCF-Norway, FORUT, ICRC, ZOA, WUSC to mention a few.

Despite the difficult conditions the government continued to send limited supplies of medicines and medical requisites to the North-East and support the health infrastructure even in areas not under its control. The days of tranquility had been observed by both sides to support national health initiatives like the national immunization programmes during the war times. There had been intense debates on the restriction of essential drugs and shortage of human resources in some areas in the North. The absence of medical and other para-medical personnel, basic facilities and support systems is impeding health care delivery especially in areas where the geographical extent to be covered is large." (WHO August 2002, pp. 5-7)

### **Ampara district health and population profile (August 2002)**

- There are 17 MOH or DDHS to deliver the Primary Health Care and the population of most of the MOH area is relatively small.
- Ampara has 4 welfare centers with a population of 3,652 and another 1,710 IDPs are living with friends and relations
- Ampara is relatively better off than the other districts in the North-East as far as the infrastructure facilities and human resource availabilities are concerned.

"Ampara district is bounded on the East by the Indian Ocean, on the South by Hambantota district, on the West by Moneragala and Badulla District, and on the North by Batticaloa and Polonnarwa Districts. The area is 4,430 Sq. Km. and the population is 589,344 (Census 2001) as compared to 388,970 in 1981. The growth rate is 2%, which is the highest recorded for the 18 districts surveyed. The sex ratio, which was 109.9 in 1981 has come down to 100.4 in 2001. This is a feature that is seen in all districts surveyed in 2001. The percentage of population under 18 years is 39.8 in 2001 (48.8% in 1981). The Muslim population constitutes 41.6% of the population while 39.2% are Buddhists, 17.2% Hindus and others account for 2%.

For implementation of the health programs the district is divided into two DPDHS areas namely Ampara Area comprising mostly of Sinhala population and coastal Kalmunai area comprising of Tamil speaking population where Muslims constitute the majority. The Ampara health data has a population of about 240,000 and Kalmunai Health Area has a population of nearly 350,000. The area is called granary of the east and produces rice, which is cultivated three times a year. Fishing is the main occupation in the coastal area. There are 19 DS divisions with 506 GN areas of which 7 DS divisions and 176 GN areas in the Ampara DPDHS area and 12 DS divisions and 330 GN areas are in the Kalmunai DPDHS area. Unlike in other districts there are 17 MOH or DDHS to deliver the Primary Health Care and the population of most of the MOH area is relatively small.

Ampara has 4 welfare centers with a population of 3,652 and another 1,710 IDPs are living with friends and relations. This district is relatively better off than the other districts in the North-East as far as the infrastructure facilities and human resource availabilities are concerned, although it fall short of the national norms." (WHO August 2002, p. 25)

### **Batticaloa district health and population profile (August 2002)**

- There are 2 welfare centers with a population of 1,540 and another 20,849 people are living with friends and relations. In all there are 22,389 IDP's in the districts.
- The health services do not reach those most in need, such as children, women, youth, the socially and economically weak sections of the society especially those living in areas of armed conflict.
- The affected areas by in the districts are mainly Manmunai West, Koralaipattu North, Eravurpattu, and Poraitivupattu DS divisions.
- The hospitals in the conflict-affected areas are destroyed or are not functioning affecting patients care services.
- Disorders related to short gestation, low birth weight, slow foetal growth and foetal malnutrition are the leading cause of hospital deaths, followed by diarrhoeal diseases.

"The Batticaloa district lies in the Eastern coast of the Island and is 2,610 Sq. Km. In area. The estimated population for the year 2001 was 486,447 as compared to the census population of 330,333 in 1981. But the actual population as per survey done by the Government Agent in 2000 was 502,000. The whole area was not covered by the 2001 census. There are 12 Divisional Secretary Divisions with 339 Grama Niladari areas and 893 villages and out of the 12 divisions 5 were enumerated fully and six partially. Batticaloa town is a Municipal Council area. There are 9 MOH areas for the 12 DS divisions. It is also an agricultural and fishing area.

### **Problems and issues**

The health services do not reach those most in need, such as children, women, youth, the socially and economically weak sections of the society especially those living in areas of armed conflict. Poverty due to unemployment and underemployment is marked in the affected area. In addition they are burdened with large families, which adds further to the poverty status. The affected areas in the districts are mainly Manmunai West, Koralaipattu North, Eravurpattu, and Poraitivupattu DS divisions. In these divisions there is high incidence of bowel diseases, worm infestation, malaria, seasonal incidence of Japanese Encephalitis, Low Birth Weight of 25% compared to 20% for the district, high incidence of stunting in under five children, high incidence of anaemia among the pregnant mothers, pesticide poisoning, burns suicidal attempts and alcohol related problems.

There is large numbers of home deliveries conducted by traditional birth attendants in this district, 45% compared to 4% for Sri Lanka.

The hospitals in the conflict-affected areas are destroyed or are not functioning affecting patients care services. Absence of domiciliary care for mother and child and referral facilities affect the overall safe-mother-hood programme severely in the conflict affected areas of the district. Direct and indirect obstetric causes are one of the ten leading causes of the hospital admission. Disorders related to short gestation, low birth weight, slow foetal growth and foetal malnutrition are the leading cause of hospital deaths, followed by diarrhoeal diseases." (WHO August 2002, p. 31)

### **Trincomalee district health and population profile (August 2002)**

- There are 9 Health Units but 5 do not have MOHs.
- The population in the district are displaced within the district and the people displaced from the north of the district are housed in 13 welfare centers mostly situated close to the town limits with a population of 3,723 and another population of 20,087 living with friends and relations.
- Mental stress and Mental Health problems subsequent to repeated displacement and insecurity is a serious concern in this district

"Trincomalee District is situated in the northern most part of the Eastern Province. The total land area is 2630,8 Sq. Km. With an inland water coverage of 96.7 Sq. Km. It is a flat land with inlets of the sea forming the lagoons and bays, which has helped in the formation of a world famous natural harbour. There are 11 Divisional Secretary Divisions with 230 Grama Niladari areas comprising of 437 villages. The 2001 population was estimated to be 340,158. Of the 11 divisions in the districts 7 were enumerated completely and 2 were enumerated partially. The Mahaweli River –the longest and the largest river in the country falls into the sea in this district. The forest covers 30% of the land area. There are three major tanks and very many small tanks, which help irrigate the land. The district produces a fair quantity of the country's rice. The hot wells of Kanniya are another attraction in addition to the most beautiful sandy beaches with rare coral and shells. The deep Bay of Bengal attracts deep-sea divers and has the rare blue sharks offshore.

This district is in the dry zone area of the country with a mean temperature of 28.7 C but some days the highest temperature of the country is recorded here. The North-East Monsoon brings most of the rain to this part of the country. The main city is Trincomalee and the urban population is 40%. The employment avenues are agriculture and fishing. The Prima flour milling factory, Mineral Sands Cooperation at Pulmoddai, Sugar Factory at Kantalai and Mitsui Cement Factory at Cod Bay are additional large industrial ventures in the district. 50% of the population are estimated to be below the poverty line.

There are 9 Health Units but 5 do not have MOHs. The area has the main three communities in almost equal proportion.

### **Problems and issues**

The ongoing conflict has affected the area too. The consequences are:

- i. Displacement
- ii. Destruction of roads and buildings
- iii. Loss of property
- iv. Inaccessibility to services especially health and education services
- v. Mental stress and Mental Health problems subsequent to repeated displacement and insecurity due to mobile lifestyle, missing family members both due to death or missing in action and witnessing killing or other un-civic activities
- vi. Distortion of available information

The population in the district are displaced within the district and the people displaced from the north of the district are housed in 13 welfare centers mostly situated close to the town limits with a population of 3,723 and another population of 20,087 living with friends and relations. There are uncleared area in the Muhur area and some parts are inaccessible still for security reasons in the north of the district close to Mullaitivu." (WHO August 2002, p. 36)

### **Jaffna district health and population profile (August 2002)**

- Jaffna is a mostly cleared district and is under the control of the Government except for a narrow stretch south of Point Pedro up to the end of Maruthankerny area.
- Transport system is almost completely disrupted for years and is being re-opened with the peace process which will pave the way to improved access to the district.
- A large number of the population has been displaced within the district and also to the other neighbouring districts. There are 56 welfare centers in the district caring for the people displaced from southern part of the district, many are with friends and relations and some in the districts of Kilinochchi, Mullaitivu, Vavuniya and Mannar.
- About 100,000 people have returned to their former places of residence risking their lives as the area of return is heavily mined.
- Most of the health institutions in the Thenmarachchi DS division and Vadamarachchi East have been destroyed
- In Thenmarachchi area almost the entire population is displaced and the area is heavily mined.
- Some of the hospitals especially in the Valkamam North area are in high security areas and have no access to civilians.

"The Jaffna district is situated in the Northern most part of Sri Lanka and is 396 Km from Colombo. The extent of the district is 929 Sq. Km. It comprises the major part of the peninsula together with the small

islands on the western side. It is surrounded by the Indian Ocean on the Northern and Western side. On the East is the Bay of Bengal. On its southern boundary lies the Kilinochchi District.

This is the dry zone area with a mean annual rainfall of 13.29 cm., depending on the monsoon. The average temperature ranges from 23C to 31C. There are no rivers, streams or hills and the main source of water is the natural underground spring trapped by drilling wells. Most of the coastal belts are of limestone rocks covered with sandy soil and the central land area consists of mixed clay and sandy soil. Most of the area is low lying. The rainfall is limited to the Northeast monsoon period from October to December with a long dry period from January to September.

There was a well-established transport system that existed in the past by land, sea and air. The system is almost completely disrupted for years and is being re-opened with the peace process which will pave the way to improved access to the district especially by road and may be by railway once the railway system is re-established.

There are 14 administrative divisions in the district with 7 MOH areas or Health Units where there should be 14. One of the divisions of the Jaffna Municipality, where most of the local Heads of Departments are located. Municipality also does not have a Medical Officer of Health. There is a Registered Medical Officer acting as MOH, which is against the law of the country. There are at present three Medical Officers of Health in the whole Jaffna district. At one time there had been 7 MOHs with public health postgraduate qualification and none of them did private practice but devoted their time fully for the preventive work.

The last census was done in 1981 and the population was enumerated as 738,788. No census had been carried out since then in the area. The actual population as at 31.12.2000 as reported by the Government Agent is 493,000. The figures given by the Department of Census and Statistics for 2001 is 490,621. A large number of the population has been displaced within the district and also to the other neighbouring districts. There are 56 welfare centers in the district caring for the people displaced from southern part of the district, many are with friends and relations and some in the districts of Kilinochchi, Mullaitivu, Vavuniya and Mannar. The professionals have migrated down south and to other countries. It is estimated that about 100,000 people have returned to their former places of residence risking their lives as the area of return is heavily mined at present and de-mining activities are still continuing.

The population figures given by the Ministry of Rehabilitation and Resettlement are:

Displaced:	No of persons in welfare centers	6,191
	No with friends and relations	270,901
	Total	276,902
Economically affected but not displaced		91,111
Non-displaced		286,292
Grand Total		614,305 (GA figure 493,000)

Jaffna is a mostly cleared district and is under the control of the Government except for a narrow stretch south of Point Pedro up to the end of Maruthankerny area, yet it faces many shortcomings due to its non-accessibility because of the defunct transport system. The transport during the conflict period depended on sea and air hence there were restrictions on supplies as well.

It should be mentioned that Jaffna had private hospitals such as Green Memorial Hospital at Manipay which originally trained doctors with the help of American Missionaries, long before the Colombo Medical College was established and it continued as a private hospital for the upper and middle class until recently. In 1995 the Jaffna hospital had to be vacated and it functioned in this hospital till it was shifted back, the Inuvil Hospital, the Moolai Hospital which also had a private medical school during its inception, the Co-operative Hospital at Tellipallai Hospital, other Nursing Homes and numerous private practitioners. It should be mentioned that all these hospitals were situated in the Vallikamam area then. Hence in planning

due consideration has to be given to these factors which played a big role in the development of the health infrastructure in the post-war era.

### **Problems and issues**

Most of the health institutions in the Thenmarachchi DS division and Vadamarachchi East have been destroyed and the population in these two areas and Valikamam North division are displaced. In Thenmarachchi area almost the entire population is displaced and the area is heavily mined.

Some of the hospitals especially in the Valkamam North area are in high security areas and have no access to civilians.

The leading causes of admissions to hospitals had been wounds, injuries and fractures next to childbirths in 2000 and 2001. Malaria figures next. The large number of internally displaced are returning to the district at present and the estimated number stands at 100,000." (WHO August 2002, pp. 41-42)

### **Mullaitivu and Kilinochchi districts health and population profile (August 2002)**

- Mullaitivu District is totally under the control of LTTE.
- There are 73 welfare centers housing 32,642 persons and another 60,969 are living with friends and relations.
- The severely malnourished mothers and children are institutionalised and cared for until they are well by the Tamil Rehabilitation Organisations.
- Kilinochchi district is under the control of the LTTE.
- There are 40 welfare centers with 24,868 persons and 36,767 displaced persons living with friends and relations

"The Kilinochchi and Mullaitivu districts come under the purview of the Deputy Provincial Director of Health Services Kilinochchi/Mullaitivu for health activities. The office was situated at Kilinochchi but due to the prevailing situation the office is functioning at Akkarayankulam. The civil administration of the area is with the two Govt. Agents, Kilinochchi and Mullaitivu respectively.

#### **Mullaitivu district**

Mullaitivu District is totally under the control of LTTE. It is situated in the Eastern Coastal area of the island. It is bounded on the East by the Bay of Bengal, on the North and North-West by the Kilinochchi District, abuts on the South West side to the Anuradhapura District, on the south is Trincomae, Vavunyia and Mannar Districts and on the west is Mannar District. The land area is 2415 Sq. Km. The estimated census population 2001 is 121,667. There are 73 welfare centers housing 32,642 persons and another 60,969 are living with friends and relations. The population given by GA as 31.12.2001 is

Non-displaced	47,783
Locally displaced	28,424
Displaced from other districts	100,823
Total	177,030

Administratively it is part of Wannu Electorate and divided into five Assistant Govt. Agent Divisions, namely Maritime Pattu, Puthukudi-irruppu, Manthai East, Oddusuddan and Thunnukai.

The land is flat and generally sloping to the East and North having 70 Km of coastal belt and four lagoons. It also has dense forest coverage of 167,850 hectares. It is a dry agro-climatic zone. The annual rainfall varies from 626mm to 3,279mm per year. Most of the rainfall is during October to January and during the North-East Monsoon.

The district depends mainly on agriculture and fishing. The lobsters for export used to be from the seas off Mullaitivu. Presently both fishing and agriculture are affected. There are major irrigation tanks, which contributed to the extensive agricultural activities.

There are two Health Units to cater to the public needs of the five divisions. Both are functioning at present in temporary places. The Mullaitivu MOH office is functioning at Puthukudi-irruppu while the Mallavi MOH office is located in a private building. Most of the peripheral health infrastructures have been either damaged or destroyed. The Health care institutions that existed prior to the conflict and the present status are presented in the following table.

There is "Dr. Ponnampalam Memorial Hospital" run by the LTTE situated at Puthukudiyiruppu town. This hospital trains "Doctors" and other categories needed for the provision of health care in the un-cleared area. It was not possible to get details regarding the functioning of this institution. The severely malnourished mothers and children are institutionalised and cared for until they are well by the Tamil Rehabilitation Organisations (TRO an NGO functioning in the un-cleared areas at Puthukudi-irruppu at present). The Nurse Midwife attached to the MSF-Holland at Puthukudiirruppu had been assisting the MOH and staff in conducting MCH care both in the clinic and in the domiciliary care. MSF-H also have their consultants in Obstetrics and Gynaecology and the anaesthetist to care for the needs of the pregnant mothers at the Puthukudiirruppu hospital which is over-crowded at present with very minimal facilities available for efficient care.

### **Kilinochchi District**

This is a district under the control of the LTTE. The District is bounded on the North by the Jaffna District, on the East partly by the Bay of Bengal and partly by Mullaitivu District, West partly by Mannar District and partly by the Indian Ocean and south again by the Mullaitivu District. Geographically it is wedged between Jaffna, Mullaitivu and Mannar Districts. It is mainly an agricultural area. It had a Farm School and the Agricultural Campus of the Jaffna University. The land area is 1205 Sq. Km and the population as at 31.12.2001 is (Govt. Agent Mullaitivu)

Non-displaced	27,510
Locally displaced	43,080
Displaced from other districts	77,422
Total	148,012 (estimate an 1981 population is 112,000 and the estimated population for 2001 is 127,263)

There are 40 welfare centers with 24,868 persons and 36,767 displaced persons living with friends and relations (Ministry of Rehabilitation Resettlement and Refugees) There are four Asst. Govt. Agent Divisions with two Health Units but only one is functioning. There are no permanent Medical Officers of Health at present. Kilinochchi MOH office is functioning at Akarayankulam.

The first salt manufacturing plant was situated at Elephant Pass in this district, which has been completely destroyed affecting the national production of salt and related products like chlorine and hydrochloric acid.

The AGA Divisions are Patchilaipalai (Palai), Karachchi (Kilinochchi), Poonakary and Kandawalai. (Pallai being administered by Jaffna Kachcheri for convenience as access across Elephant-pass was not there.)" (WHO August 2002, p. 48; p. 53)

## Mannar district health and population profile (August 2002)

- The population of the district was displaced repeatedly since 1990 and the facilities providing the social and economic infrastructure had been completely destroyed or defunct.
- About 80% of the population lives below the absolute poverty income level of subsistence.
- There are 9 welfare centers in Mannar district of which 6 are in the cleared area with a population of 50,321 in 12,662 families. Relocation and resettlement program is planned but the progress so far is very slow due to the fact that the villages lack other support social infrastructure like the water supply, school and health services facilities.
- Out of the 16 institutions in the area 9 are destroyed and four out of those are functioning in temporary buildings. The public transport system is defunct in the interior areas making access to the services impossible. There is acute shortage of all categories of health manpower resources.

"Mannar lies in the mainland of Sri Lanka, with the Districts of Kilinochchi and Vavuniya on its Northern and Eastern boundaries and its Southern boundary abutting Anuradhapura District on the Eastern side and Wilpattu National Park (Puttlam District) on the Southern side. The Gulf of Mannar and Palk Strait forms the Western boundary of the district. The portion of Mannar district just out into the Gulf of Mannar as an island separated from the mainland bridged by a three-mile long causeway has nearly 50% of the district population and the main city of Mannar too is in this part of the district. On the Western point of the Mannar Island is the Port of Talaimannar, which is also the terminus of the Railway and link to a ferry transport service to India –earlier to Dhanuskody camp (British era) and later to Rameshwaram. At present the ferry service is not in operation due to the conflict situation in the country. The land area is 1880 Sq. Km.

As a result of the on-going ethnic conflict, the population of the district was displaced repeatedly since 1990 and the facilities providing the social and economic infrastructure had been completely destroyed or defunct. About 80% of the population lives below the absolute poverty income level of subsistence. The employment opportunities are highly seasonal. Main occupations are farming and fishing. There are no institutional facilities for the school leavers to pursue higher education or advanced training.

The population of Mannar District consists of local population and displaced persons from other districts and the population at present (31.12.2001) is:

Non-displaced/resettled in cleared area	43,960
Locally displaced	7,349
IDPs from other districts	11,655
Total	62,964
Non-displaced/resettled in un-cleared areas	3,684
Locally displaced	11,640
IDPs from other districts	19,714
Total	35,038
Grand Total	98,002

(Census 2001 Population is 151,577)

Source: Govt. Agent, Mannar

It should be mentioned that a part of the population is in South India as refugees and another lot, mostly Muslims, are displaced and are in welfare centers in the Puttalam district. The people from South India have started to return but the government at present is studying the process of bringing those living in the welfare centers in India.

There are five administrative divisions in the district. Out of which two are in the so-called un-cleared areas. The density of the population in 1981 was 53 per Sq. Km. Against the country average of 230 per Sq. Km.. The DS/AGA divisions are: Mannar, Nanaddan, Musali and Madhu & Manthai in the un-cleared areas. Of the five divisions one was partially enumerated and others were not enumerated.

There are nine welfare centers in Mannar district of which six are in the cleared area with a population of 50,321 in 12,662 families. Relocation and resettlement program is planned but the progress so far is very slow due to the fact that the villages lack other support social infrastructure like the water supply, school and health services facilities. One of the welfare centers that was functioning at the Madhu church as Open Refugee Camp is closed from June to make way for the religious festival to restart in the church and people had been removed to Palamadhu (Vidaltivu). Some of the inmates have gone back to their land.

There were two Medical Officers of Health area or Health Units out of five planned, but only one is functioning at Mannar town that too in the quarters of the MOH. The one that was functioning at Murunkan is not functioning as the Medical Officer of Health has been transferred without replacement. Hence due to non-availability of infrastructure and staff the other four divisions are not functioning. Health volunteers function as Primary Health Care providers in most of the areas. They are trained by the MOH with the assistance of UN agencies and local and international NGOs. They perform the duties of the field midwife except conducting the deliveries. There was a port health office at Thalaimannar to cater to the needs of travellers by ship to and from India which is not functioning at present.

### **Problems and issues**

Out of the 16 institutions in the area 9 are destroyed and four out of those are functioning in temporary buildings. There is acute shortage of all categories of health manpower resources. The public transport system is defunct in the interior areas making access to the services impossible. The facilities in the available institutions too are in a deplorable state. The philanthropists in this area helped in the upkeep of the hospital but with mass exodus of the people, leaving only the poorest segment of the population in the district, this aspect of community participation is not forthcoming anymore. The health concerns are given in the tabular form of the log-frame." (WHO August 2002, pp. 58-59)

### **Vavuniya district health and population profile (August 2002)**

- The population consists of local population and IDPs from other districts as well as from within the district.
- There are 14 welfare centers in the Vavuniya District with a population of 16,624 in 4,229 families.
- There is now free movement of the people from the welfare centers to the outside including travel out of the district provided they possess their National Identity Card.
- In late 2000 there was a decision to resettle or relocate IDP families from the welfare centers in order to reduce the over crowding as well as to find a durable solution to the problem. The IDPs who were not willing to go back to their place of origin had to be relocated in the cleared area of Vavuniya. They are being relocated at present and their basic social needs are being attended to.
- The health services provision in Vavuniya is somewhat better than other districts.
- There are no buildings available to conduct temporary mobile clinics even. The health services have to be built from zero level.
- Malaria continues to be a problem as the actual situation in the un-cleared area of Vavuniya North is not fully available

"Vavuniya District is in the northern dry arid zone of Sri Lanka and is the gateway to the north. It is bounded by Mullaitivu District on the north, Anuradhapura District on the south, Mullaitivu and Mannar Districts on the West and Trincomalee and Anuradhapura Districts on the East. There are four Asst.Govt. agent areas (Three DS divisions and one AGA division which is an un-cleared are), with 102 Grama Niladari divisions and 457 villages.

Vavuniya town had been playing a vital role in the past being the center that was co-ordinating the transport of food and other essential supplies to the un-cleared area of Kilinochchi, Mullaitivu, Mannar and northern parts of Vavuniya, under the supervision of the Vavuniya Government Agent (GA) and permission of Ministry of Defense (MOD).

The total population of the District as at 31.12.2001 is 146,109 of which 136,189 is in the cleared area and 9,920 in un-cleared are (Estimate on 1981 population is 120,000). The population consists of local population and Internally Displaced Persons from other districts as well as from within the district. Of the 4 divisions only one was enumerated and two were enumerated completely and two were enumerated partially and the population estimated for 2001 by the Dept. of Census & Statistics is 149,835.

Non-displaced/resettled population in cleared are	73,684
Locally displaced	17,163
IDPs from other districts	45,342
Total	136,189
Population in un-cleared Non-displaced/resettled	244
Locally displaced	9,215
From other districts	461
Total	9,920
GRAND TOTAL	146,109
(Source GA Vavuniya)	

There are 14 welfare centers in the Vavuniya District with a population of 16,624 in 4,229 families. With the MOU signed in February this year between the Government and the LTTE, there is free movement of the people from the welfare centers to the outside including travel out of the district provided they possess their National Identity Card. Before the MOU the movement of civilians in Vavuniya was controlled by various pass systems. There were 15 systems of passes, which is not practiced now and free movement is allowed. In late 2000 there was a decision to resettle or relocate IDP families from the welfare centers in order to reduce the over crowding as well as to find a durable solution to the problem. The IDPs who were not willing to go back to their place of origin had to be relocated in the cleared area of Vavuniya. They are being relocated at present and their basic social needs are being attended to. They have a school, a mobile health clinic, open dug wells for water needs etc, to mention a few. It is very necessary to look at the availability and accessibility of Primary Health Care for these relocated villages, which are new settlements in areas that had been jungles earlier. Social mobilization and income generation activities are being initiated by the UNHCR and implemented by the local and International NGO's. Of the districts in the Northern Province Vavuniya District has a better scenario than the other districts because it had most of the cleared areas due to its geographical position and the blessings of the Government security forces, though there were restrictions of movement of people and passage of goods and commodities from time to time.

The health services provision too is somewhat better than other districts in Vanni because of the presence of MSF Holland and their team of consultants but not so when compared with some other districts in the south.

## **Problems and issues**

There are four Divisional Secretary areas but one area namely Vavuniya North or popularly known as Nedunkerny is totally an un-cleared area and the entire population is displaced since 1996 following the major defence operation in the area. The people have started to resettle spontaneously even though the area is heavily mined and the government authorities do not sanction access to the area officially. Most of the infrastructures in the division had been completely destroyed.

The health services in the area is totally paralysed and has collapsed as all three institutions had been totally destroyed. There are no buildings available to conduct temporary mobile clinics even. The health services have to be built from zero level. It is an area where mobile services had to be urgently initiated to serve the returning people with community health workers elected from the returnees to be trained to screen and refer until permanent facilities are made available. A mental health assessment (MSF-H 1999, 2000) concentrating on those living in the "welfare centers" who had been suffering from the combined effects of trauma and poverty in the District of Vavuniya had shown:

High number of attempted suicides, alcohol abuse, domestic violence, grief, suspicion and a sense of "learnt helplessness",

A breakdown in normal social support networks,

Appalling living conditions and lack of services,

Total absence of psychosocial support services,

97% had lost their homes and property ,

87% had constant feeling of insecurity or unsafe,

63% had suicidal thoughts,

66% had bad memories of displacement, death of a family member, witnessing people being burnt alive in their homes etc.

Malaria continues to be a problem as the actual situation in the un-cleared area of Vavuniya North is not fully available. The non-availability of services and service providers is the same as in other areas affected by the war and conflict in the north." (WHO August 2002, pp. 64-65)

## **Health**

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### **Depletion of health manpower has led to disruption of all regular curative and preventive services (August 2002)**

- Depletion of health manpower has led to disruption of all regular curative and preventive services in the North and East.
- Injuries emanating from uncleared landmines / UXO pose a significant risk.
- There is a marked increase in health risks due to conflict and violence related trauma, with women and children being especially vulnerable;
- There is an immediate need for the health sector to put in place emergency preparedness measures to control communicable diseases, provide first aid to manage increased mine injuries, and basic curative and preventive health and referral services in the areas of return.

Source: UNHCR, 23 August 2002

"The health system has been severely affected by almost 20 years of conflict. Much of the health infrastructure has been damaged, especially in the far northern districts. A baseline assessment of the health situation in the North and East has already been documented by WHO. The depletion of health manpower has led to disruption of all regular curative and preventive services. Medical supplies and equipment are not readily available at all levels. More specifically:

-Injuries emanating from uncleared landmines / UXO pose a significant risk of increase of morbidity and mortality for all people especially children;

-The incidence of communicable and infectious diseases such as malaria, tuberculosis, acute respiratory tract infections, diarrhoeal diseases are expected to be higher, with the real risk of increase in HIV/AIDS with returnees from India;

-There is a marked increase in health risks due to conflict and violence related trauma, with women and children being especially vulnerable;

-Malnutrition amongst women and children is significantly high in all parts of Sri Lanka, but the status is expected to be worse among the returning IDPs who lack the capacity and services to address the problem;

-Maternal morbidity and mortality are significantly higher.

The recent cessation of hostilities, opening up of roads and increasing spontaneous return of IDPs has improved access to communities in the North and East. There is an immediate need for the health sector to put in place emergency preparedness measures to control communicable diseases, provide first aid to manage increased mine injuries, and basic curative and preventive health and referral services in the areas of return. These services must pay particular attention to the needs of more vulnerable groups such as women and children.

The Ministry of Health, with the support of WHO, organised a participatory planning session on 22-23 June to develop a short-term plan to improve health in the north and east. UNICEF, WHO and UNFPA provided technical advice during this planning meeting and will adjust programming where necessary to support the Government's short-term plan." (Government of Sri Lanka & UN 23 August 2002, p. 19)

### **Restricting of pharmaceutical products has caused drastic health hazards in Jaffna peninsula (January 2002)**

- Restrictions on more than 40 medical items have caused drastic health hazards in Jaffna peninsula.

"As mentioned above the MSD and MOD by not approving vital medical items and restricting more than 40 items have caused drastic health hazards in Jaffna peninsula.

We observed the following serious health problems prevailing in Jaffna, which need urgent attention from the newly formed Government.

1. On average only 50 to 55% of the patients who visit O.P.D in Jaffna Teaching Hospital and peripheral hospitals receive the required medicines.
2. Patients suffering from chronic illness such as Diabetes, Arthritis, Cancer, Kidney Failures, Asthma do not get their medicines continuously.

3. Patients who are supposed to undergo urgent major surgeries under General Anaesthesia suffer due to lack of facilities in the Operating Theatre. Some patients are transferred to Colombo by ICRC and some get surgeries done under local anaesthesia.
4. The conditions of the Operation Theatre are appalling.
5. Shortage of painkillers known as Analgesic drugs, and sedatives make the patients undergo unbearable sufferings.
6. Availability of Oxygen cylinders are limited. Only 10 Oxygen cylinders are given at a time, while keeping the main stocks at Palaly Army Base. For any emergency Jaffna Teaching Hospital staff will have to go to Palaly Army Base which is almost 25Km away and obtain Oxygen cylinders. Such procedures take nearly four hours
7. Pregnant mothers suffer severely due to shortage of certain vital drugs and injections such as Anti Tetanus, Ergomatrine, Sedatives and Strong Antibiotics.
8. Severe shortage of items such as Glucose strips, Sanitary Pads, Gauze, Surgical spirit, Adhesive plasters, Strong antibiotics and certain other medicines required for surgeries was observed.
9. Patients with kidney failures have no facilities to undergo Haemodialysis as there are no Dialysers or solutions. Patient in critical conditions are given Peritoneal dialysis.
10. The condition of the Intensive care unit is miserable.
11. Psychiatric drugs are totally inadequate. Modicate injections which are essential for psychiatric patients are not available.
12. The laboratory facilities in Jaffna Teaching Hospital are in very poor conditions. There is no Pathologist available in Jaffna Teaching Hospital. The samples for Biopsy, sera and viral studies are sent to Colombo and results arrive only after long delays. Such delays to chronic and highly infected patients cause fatal results.
13. The chief MLT complained that shortage of laboratory facilities and lack of modern lab equipments are the main factors that cause malfunction of the Microbiology studies.
14. Another major problem which we observed was that some vital medicines are with very short expiry period and sometimes medicines of expired dates are also sent.
15. Malnutrition and Anaemic conditions among children and pregnant mothers are common due to shortage of nutritional diets, vitamins Iron supplements.

Anti Tetanus injections are restricted by 75%. Patients who suffer from cut injuries suffer due to non availability of Anti Tetanus injections." (Deva, Dayala 25 January 2002, pp. 8-10)

**Unofficial embargo on pharmaceutical products to Northern province has caused drastic effects on the health conditions of the people (January 2002)**

- The insidious increase in the Infant and Maternal Mortality rates, water and food borne diseases, the lagging behind in the introduction of newer technologies in medical management constitute a major problem.
- Comprehensive Data on Health Status is lacking in the Northern Province.

- The unofficial embargo on Pharmaceutical products to Northern province has caused drastic effects on the health conditions of the people, including malnutrition, high mortality and death rates.

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"The health situation has deteriorated to very dangerous levels. In the health sector, the destroyed and closed down Health Institutions and lack of basic equipments are very obvious. The lack of manpower in health sector is also obvious. The insidious increase in the Infant and Maternal Mortality rates, water and food borne diseases, the lagging behind in the introduction of newer technologies in medical management are not so obvious but constitute a major problem. Comprehensive Data on Health Status is lacking in the Northern Province, as most of the surveys carried out in Sri Lanka after the on set of the conflict excluded the Northern Province.

According to the senior doctors and Health Authorities with whom we conducted interviews, the unofficial embargo on Pharmaceutical products to Northern province has caused drastic effects on the health conditions of the people.

1. Death rates due to diseases have increased when compared to the situation prior to 1993.
2. Mortality rate among infants and pregnant mothers have increased by nearly 18%.
3. Mortality rate among children under five too has increased by 18%.
4. Malnutrition among under 12 children which was at 4.3% in 1983 has gone up to 40% in 2001.
5. Death rates due to communicable infectious diseases, Malaria, Cancer, Diabetes and Cardio Vascular diseases have increased.
6. Very high rate of Malaria cases (highest in Sri Lanka) and deaths due to Malaria are highest in the Sri Lanka.
7. Even death rate due to common diseases has increased due to shortage of drugs.
8. Many deaths have been caused by Septicaemia which are mainly due to prohibitions of strong antibiotics.
9. Patients with common diseases suffer because the duration of healing time rates are more due to non-availability of medicines.

Monitoring and immediate care provided by the Intensive Care Unit have been hampered severely." (Deva, Dayala 25 January 2002, pp. 10-12)

### **Baseline assessment shows that conflict has disrupted all preventive and curative services in the North-East (August 2002)**

- It is imperative that the preventive and curative services in the N-E be restored and improved to meet the present and future challenges.
- Conflict has also reduced the investment in the health sector which leads to shortages of new technologies and skills.
- Status of the internally displaced as well as those who had sought refuge in other countries is not satisfactory. Many IDPs need therapeutic treatments and rehabilitation services so that they have the strength to build their new life again.

- The non-availability of services like health, education, potable water and employment opportunities further aggravates their health status in terms of physical, mental and social well-being.
- WHO baseline assessment of the health situation in the North and East has concluded that the depletion of health human resources and the lack of proper facilities, equipment and supplies have led to disruptions of all regular preventive and curative services.
- Malnutrition amongst women and children is significantly high in all parts of Sri Lanka, but the situation is much worse in the North-East, particularly among children, pregnant women and IDPs
- Reproductive health services are almost non-existent in the conflict-affected area.

"Restoration of health services is one of the priorities in rehabilitating the conflict-affected population. Significant reductions in trauma, diseases and health risks enables people to rebuild their lives, reconstruct their society and plan for a productive future. It is necessary to enable people in the North-East to re-establish their lives and reach a reasonable standard of living comparable to that which existed prior to the conflict. To achieve this goal the population needs an effective health system based on primary health care that will enable them to improve their personal health and promote the health of the community in which they live.

It is therefore imperative that the preventive and curative services in the N-E be restored and improved to meet the present and future challenges in order that the people can lead a dignified, happy, peaceful and productive life.

The conflict in the past 20 years has eroded the health of the people, destroyed the health service infrastructure and reduced the availability of health personnel to respond to the health needs of the population. The conflict has caused internal displacement of people, restricted their movements thereby increasing the disease incidence and straining the capabilities of the existing facilities. The conflict has also reduced the investment in the health sector which leads to shortages of new technologies and skills.

The result of all these is the deterioration of the health status of the civilian population affected by war, conflict and violence.

'Health is fundamental to human welfare. Health, an essential component of the quality of life, positively influences people's aspirations and attitudes, physical and intellectual potentials, social peace and prosperity, contributing to an overall development process. At the same time development factor such as education, income, housing, water supply, sanitation, food and nutrition, health care provisions etc, determine the level of health status of the population. In the context of these interactions health is recognized as a basic right of the people.'...stated in the policy document of Sri Lanka, 1992

But the status of the internally displaced as well as those who had sought refuge in other countries is not satisfactory. These people have been forced to flee their homes or places of residence as a result of or to avoid the effects of war. They have been uprooted. This act normally creates a mental state of dejectedness, loss of dignity and fright. The situation is worsened by confinement to a camp situation with restriction of movement. Many of these people need therapeutic treatments and rehabilitation services so that they have the strength to build their new life again.

The non-availability of services like health, education, potable water and employment opportunities, which were normally available at hand before displacement, further aggravates their health status in terms of physical, mental and social well-being. The people affected by the conflict should have adequate standard of living. At the minimum they should have basic health care i.e. Essential Health Services, in addition to safe access to essential food, drinking water, basic shelter or housing, appropriate clothing and of course sanitation.

The health service provided thus far in the un-cleared area was by a group of dedicated and committed staff who risked losing their lives during the conflict. They were working with minimum available basic facilities when compared with the cleared areas. Most of them now want to get back to their homes in different parts of the country after devoting more than 10-12 years of service in the extremely difficult times.

A baseline assessment of the health situation in the North and East has already been documented by WHO which concluded that the depletion of health human resources and the lack of proper facilities, equipment and supplies have led to disruptions of all regular preventive and curative services.

In planning the health services for the affected areas, due consideration must be given to all the factors which play a significant role in both the supply and demand of health services. Some of the issues require immediate actions while others will require longer term re-development. The following are some of the urgent issues that need immediate actions:

The incidence of communicable and infectious diseases such as malaria, dengue (DF/DHF), tuberculosis, acute respiratory infections, diarrhoeal diseases are expected to be higher, with the real risk of increase in STD/HIV/AIDS as well as with the repatriation of the refugees from India

Malnutrition amongst women and children is significantly high in all parts of Sri Lanka, but the situation is much worse in the North-East, particularly among children, pregnant women and IDPs. Currently, the health system lacks the capacity and appropriate interventions to address the problem.

Reproductive health services are almost non-existent in the conflict-affected area which is aggravated further by the lack of referral and emergency services. Maternal morbidity and mortality in the North-East is therefore expected to be significantly higher than other parts of the country.

Un-cleared landmines/UXO pose a significant risk of injuries and deaths to the people living or returning to the conflict area, especially children.

There is a marked increase in health risks due to conflict and violence related trauma, with women and children being particularly vulnerable.

With the recent cessation of hostilities and opening up of roads, access to communities in North and East has been improved significantly. This has led to the increasing number of IDPs who return spontaneously to their homestead. Many of these areas are infested with mines and UXO and lack the most basic sanitary and health facilities, which could easily lead to epidemics. There is therefore a need to put in place health emergency preparedness and response measures to deal with such conditions. Preventive and health promotion measures would play an important role in preventing disease outbreaks. These services must pay particular attention to the needs of more vulnerable groups such as the IDPs, refugees, women and children.

As an immediate or short term health system recovery strategy to bring the health system back to its normalcy, keeping in view the need to carry out long term planning and to invest substantially in the health sector, actions spelled out in section 3.2 have been recommended in consultation with the Government, various organization and agencies, and individual medical and health emergency experts." (WHO August 2002, pp. 96-98)

### **Lack of health facilities and shortages of medicine in the un-cleared areas (October 2001)**

- Serious lack of medical staff, medicine, hospital facilities and equipment.

- Only two hospitals in the Vanni, in Kilinochchi and Malavi, and the facilities available there are minimal.
- Restrictions on movement and lack of transport has aggravated the situation of patients seeking medical help.
- Embargo on war related items which was tightened in April 2000 has meant that numerous medicines and medical equipment do not reach the uncleared areas

#### **"Uncleared areas**

There is a serious lack of medical staff, medicine, hospital facilities and equipment in the uncleared areas. Health care is often provided by untrained volunteers. In Mannar uncleared, there is only one Government Medical Officer for a population of 35,808 and only MSF is seeing after the needs of the residents of the ORC in Madhu and the Sub ORC, Palampiddy.

There are only two hospitals in the Vanni, in Kilinochchi and Malavi, and the facilities available there are minimal. Seriously ill patients are being sent to Vavuniya. Restrictions on movement and lack of transport has aggravated the situation of patients seeking medical help. All those leaving the Vanni have to hand over their LTTE pass to the LTTE and that of a relative who stays in the area. Poovarasankulam hospital has no ambulance to take patients to Vavuniya which has resulted in a number of deaths.

Kilinochchi District Medical Officer stated that over 2000 people needed eye treatment and were unable to go to Vavuniya where facilities were available.

The embargo on war related items which was tightened in April 2000 has meant that numerous medicines and medical equipment do not reach the uncleared areas. The drug quotas allocated are further subject to arbitrary cuts and delays in delivery. Thus, as of June 2001, the drug quota for the second quarter of 2001 had not been sent to the Vanni. Cuts to the drug supplies to the uncleared have been imposed by the Medical Supplies Division of the Ministry of Health, even though MoD approval had been obtained.

In December 2000, Kilinochchi and Mullaitvu districts Health Department officers said 80 different kinds of medicines and materials, including antibiotics, pain killers, wound dressing, antiseptics and preventive injections had not been received since February 1999. Of the 11,000 people disabled by the war in the period 1990-2000, most are unable to obtain artificial limbs (432 needed) or other materials needed for their rehabilitation.

The Vanni and Jaffna account for 40% of all Sri Lanka's malaria cases and the illness cannot be treated adequately due to the shortage of anti-malarial drugs. During 1997 and 1998, according to another report, 53% of malaria cases islandwide were in Mullaitvu, Kilinochchi and Jaffna, but 80% of deaths due to malaria were in those districts. Reports further state that anti-rabies vaccine is exhausted in the Vanni hospitals and in the stores of the Health Department. It was reported that out of 186 deaths many were due to brain fever in Kilinochchi hospital. In April 2000, 800 patients were turned away from Malavi Hospital without medication." (CPA October 2001, pp. 37-38)

#### **Lack of health facilities and shortages of medicine in cleared areas (October 2001)**

- In Jaffna land-mine victims (10/month) lack orthopedic items and receive little support.
- In Trincomalee movement restrictions affects access to hospitals.
- In Mannar, there is an acute shortage of medical staff.

- In Vavuniya there are serious concern over the long term psychological impact of displacement and for the psycho-social well-being of children. 50% of suicide attempts registered in Vavuniya are among welfare centre residents.
- Insufficient number of latrines and the lack of maintenance of those in Welfare Centres.

## "Cleared areas - North and East

### **-Jaffna**

The Jaffna hospital suffers from lack of equipment and shortage of over 30 types of medicines. In February 2001, two deaths occurred in the hospital because of lack of equipment. There is a dearth of specialists in certain fields – orthopedics, neurosurgery, cardiac surgery, rheumatology and a lack of advanced technology. There are no psychologists or counsellors in any hospital in Jaffna. As of May/June 2001, 65 Medical Officers, 252 Public Health Midwives and 222 Hospital attendants were needed.

There are ten landmine injuries per month in Jaffna which counts 20,855 disabled persons. While there is some facility for medical orthopaedic and long-term rehabilitation of landmine victims, wheelchairs and artificial limbs are in short supply. Landmine victims receive little financial and technical assistance or counselling.

### **-Trincomalee**

Hospitals in Nilaveli, Luchaveli, and Manalchenai are closed due to security reasons. Restrictions on movement has affected access to hospitals. There is an urgent need for a Psychiatrist and Eye Surgeon.

### **- Batticaloa**

An acute shortage of medical doctors at the Teaching Hospital has been reported, with only 68 of the 90 doctors needed present.

### **-Mannar**

In Mannar, there is an acute shortage of medical staff. Newly qualified medical officers are sent to Mannar on a rotation basis. However, this means that there are few trained specialists. There is no preventive health staff, no public health inspector nor midwives and no mental health support. It has also been reported that hospital staff in cleared Mannar refuse to go to the uncleared areas. At present, emergency cases are being sent to Anuradhapura General Hospital.

### **-Vavuniya**

The Base Hospital Vavuniya presently serves the four districts of Mannar, Vavuniya, Kilinochchi and Mullaitivu, accounting for a population of 600,000 people. The staff has not been increased despite repeated requests by the Hospital to cope with the surplus population. The posts of psychiatrists, pediatrician and eye surgeon among others are currently vacant. There is an acute shortage of staff for preventive services, as well as nurses, hospital attendants and radiologists. Health volunteers are not paid by the government. The fund allocation for the purchase of medicine has not been increased to reflect either the rise in the cost of medicine or the population increase. The supply of drugs is insufficient even for the needs of the permanent residents of Vavuniya, let alone the displaced.

In Vavuniya WCs, the cramped conditions, lack of hygiene, poor nutrition and poor sanitation have had disastrous consequences on the health of the residents. Diarrhoea, respiratory infections, fever and malaria are among the leading causes of deaths. Alcoholism is a serious problem. In one report, 35.5% of the WCs residents surveyed admitted consuming alcohol. Illicit liquor most dangerous to health is readily available in WCs such as Poonthoddam Unit 6.

There is also a serious concern over the long term psychological impact of displacement and for the psycho-social well-being of children. 50% of suicide attempts registered in Vavuniya are among welfare

centre residents. In Poonthoddam Unit 6 alone, there have been four recent suicides attempts. Three of them were the result of domestic violence.

#### **-Sanitation**

There are numerous complaints about the insufficient number of latrines and the lack of maintenance of those in Welfare Centres. Disposal of the garbage is unsatisfactory and the lack of drains has proved very problematic, especially during the rainy season. " (CPA October 2001, p. 38-40)

### **High levels of traumatic stress among Welfare Center IDPs (May 2001)**

- Most respondents living in the Welfare Centres have experienced at least one traumatic experience. It is likely they have been subjected to many more.
- The population in the WFC is 'guarded' without a reasonable chance to rebuild their lives.
- The high prevalence of suicide (3 times higher) among the population of the Welfare Centres bears out to the desperate situation of the internally displaced

"The survey among respondents from the Welfare Centres indicates high levels of traumatic stress among the population. Every indicator used in the survey (Appraisal of Traumatic experiences, Impact of Event Scale and Physical Health) points in the same direction. The indicators are discussed below.

The responses on the second section appraise the traumatic experiences of the respondents. The high percentages on certain events (starvation (94%), witnessing wounded people (60%), having lost someone close (at least 37%) results in a clear conclusion that most respondents living in the Welfare Centres have experienced at least one traumatic experience. It is likely they have been subjected to many more.

In addition to these past experiences a majority of the respondents indicate a constant feeling of being unsafe (87%). It can be concluded that the population does not only carry a heavy burden of past traumatic experiences. They are chronically under pressure because they do not feel safe at present.

The possibility to start a meaningful life with self-control through for instance an own income is small. The pass system did not allow them to leave the camp. Subsequently only 6% has full time work. The rest (94%) is highly dependent on the WFC facilities and a small government allowance. It can be concluded that the population in the WFC is 'guarded' without a reasonable chance to rebuild their lives.

The Impact of Event Scale (Horowitz, Wilner & Alvarez, 1979) indicates high levels of traumatic stress in the survey population (82%). The final score on the I.E.S. is constructed around two clusters of reactions: intrusions (e.g. flashbacks, reliving of events) and avoidance (e.g. evasion of situations, amnesia). Neither of them contributed significantly more to the overall PTSD score.

The outcome of the Impact of Event Scale (I.E.S.) is not conclusive and should be considered with care since the I.E.S. questionnaire is not validated for Sri Lanka and the cut-off scores applied in this report are based on West European data. The outcomes on the I.E.S. should not lead to the conclusion that almost everybody in the Welfare Centres is traumatised and suffers from PTSD or other mental health problems. However, the high scores on the I.E.S. are supported by the outcomes on the appraisal of traumatic experiences (second section).

The results of third section (physical health) confirm the tendencies reported earlier. Traumatic stress associated with physical complaints, like generalized body pains (e.g. muscle, joint, back and stomach pain (including ulcer)), chest/heart problems and headache as their major complaint (resp. 38%, 27% and 23% of the respondents). The consequences of the living circumstances also trigger many complaints like eye problems (16%), and infectious diseases (22%). The visits to health facilities is relatively high (42%).

The appraisal of traumatic experiences, the outcomes on the I.E.S. and the high levels of unclear somatic complaints all indicate high levels of psychosocial and traumatic stress or even PTSD. Furthermore the high prevalence of suicide (3 times higher) among the population of the Welfare Centres bears out to the desperate situation of the internally displaced." (MSF 31 May 2001, p 25)

### **Government tightens embargo on "war-related" essential medical items to the Vanni (November 2000)**

- During April and June 2000 the embargo on essential medical supplies to the Vanni was further tightened.
- Administrative obstacles for approval of medicine further delay the shipment of medical supplies.
- MSF reports that during January the provision of medical supplies to the uncleared areas had improved.
- MSF says that during November civilian deaths in Vanni's Mallavi hospital were at higher level than at any time in 1999 due to shortage of medical supplies, food and shelter
- Many deaths in the Vanni caused by lack of facilities for proper medical treatment
- Short supply of medical items in the Vanni region following prohibition by the government to bring 'war-related' medical items into the Vanni

"*In April 2000* the government imposed embargo on essential medical supplies to government hospitals in the Vanni was further tightened during the reporting period, which pushed the already fragile health services in the Vanni closer to a crisis point. By the end of the month less than half of the first quarter of government supplies, usually delivered by late February, have been allowed in and these only non-essential items. Additionally both MSF Holland and ICRC were prevented from bringing in any medical supplies during the month of April.

The general situation of supply of medicines to government hospitals in the region further deteriorated *in June*, with MSF increasingly being forced to resort to transferring patients to Vavuniya for treatment." (UNHCR November 2000, p. 10)

"Authorities continue blocking shipment of essential medical supplies of Medecins Sans Frontieres (MSF) into the war-torn north of the country. Because of a sudden change in the procedure for approval and transportation of medicines, it will take another month before MSF supplies can go through. MSF warns of a medical emergency in the northern districts. The emergency medical relief organisation once again calls on the Government of Sri Lanka to expedite the transport of medical supplies into the north without further delay.

[...]

Humanitarian convoys carrying medical supplies are generally permitted to cross the Forward Defence Lines twice a week. In the past few weeks MSF's supplies have been consistently turned away from the convoy. The Ministry of Health did not send medical stocks to the north since the beginning of 2000, except for one cargo to Kilinochchi on April 21st, with quantities too small and restricted to alleviate the situation for the population." (MSF 26 April 2000)

"The Government maintained a long list of prohibited 'war-related' medical items, such as sutures, plaster of paris, intravenous liquid supplies, bandages, and some drugs. [Non Governmental organizations (NGO's)] and other groups that sought to take these items to LTTE-controlled areas in the Vanni region needed permission from local officials as well as from the Ministry of Defense (MOD). Delays were common and approval was sometimes denied, due to fear that supplies would fall into the hands of the LTTE. As a result, many medical items in the Vanni region were in short supply. This shortfall contributed to an already serious deterioration in the quality and quantity of medical care furnished to the civilian population. Government restrictions on the transport of items such as cement, batteries, and currency into

the LTTE-controlled areas also had a negative impact on the relief work of NGO's in those areas." (U.S.DOS 25 February 2000, sect. 1g)

## **Sanitation**

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### **Only 25% of returnees will have access to adequate water supply and sanitation (August 2002)**

- The areas earmarked for resettlement lack safe drinking water and sanitation facilities. It is assumed that only 25% of returnees will have access to adequate water supply and sanitation.
- About 18% of children between 6-24 months already suffer from diarrhoea.
- Long-term consequences of lack of water and sanitation are anaemia among pregnant mothers, low nutritional status among children and women, low school attendance among girl children, children and women being overburdened with water fetching and exposure of children and women to hazards when in search of places for defecation.

Source for both maps: UNHCR, 23 August 2002

"-The prolonged armed conflict has led to disruption and neglect of drinking water and sanitation facilities. As a result, the areas earmarked for resettlement lack safe drinking water and sanitation facilities. It is assumed that only 25% of returnees will have access to adequate water supply and sanitation. This will expose the population, especially children and women, to very high risks of diarrhoea, dysentery and worm infestations. Under the existing conditions about 18% of children between 6-24 months already suffer from diarrhoea.

-Long-term consequences of lack of water and sanitation are anaemia among pregnant mothers, low nutritional status among children and women, low school attendance among girl children, children and women being overburdened with water fetching and exposure of children and women to hazards when in search of places for defecation.

-It is assumed that during the period of six months no adverse weather conditions will interfere with work and price fluctuations of construction materials will be minimal." (Government of Sri Lanka & UN 23 August 2002, p. 21)

### **Sanitation needs are acute in IDP camps in Jaffna peninsula (October 2000)**

- Following growing tension between the IDPs and the local population, UNHCR and CARE started building camps for the displaced, where needs still pertain to sanitation and access to safe water.

"In June 2000, 12,000 displaced persons were residing in improvised displaced camps, mainly in schools and churches/temples. The main need regarding this population at this time was sanitation and latrines

construction. ACF in partnership with ECHO started immediately being active in camps and 150 temporary latrines were built within few weeks, up to covering the needs.

In August, about 5000 persons were remaining in camps. Following tension arising between displaced in schools and resident population, UNHCR and CARE started in co-ordination with local authorities to build displaced camps in order to re-installed these displaced people.

Now the needs in camps are still regarding sanitation. Various organisation have started building such type of camps and sanitation is not always plan properly. Shelter can be provided to the displaced population, but without proper access to safe drinking water or latrines facilities.

As population is still moving according to fighting and dangerous/safe areas, we can still expect additional displacement to take place during the time frame of the project, and provision will have to be make in order to response quickly to the needs." (ACF October 2000)

### **Proper sanitation not practised in "resettlement villages" in the Vanni (October 2000)**

- There are typically no latrines available and proper sanitation is generally not practiced.
- Water for domestic use is available year-round in the community although in less-than-adequate quantities.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Wanni by CARE/WFP and published in October 2000. The villages refered to below were selected as representative samples of "resettlement villages". The villages surveyed are the following: Sivapuram, Thunukkai and Kalvilan*

"There is a mixed record here concerning programs or practices aimed at curing disease or preserving good health. There is no anti-malarial spraying undertaken, for instance. To cope with malaria outbreaks, people obtain medicine from government hospitals if possible but most often resort to local methods like drinking boiled margosa (neem) bark. People also follow the advice of the health volunteers by smoking their houses with the margosa leaves and seeds, or by burning used tires. Home remedies are also commonly practiced in response to other diseases. For scabies, the affected area is cleaned with boiled tamarind leaves. For dysentery, the recommendation is to drink boiled pomegranate fruits.

Proper sanitation, necessary in preventing the spread of dysentery, is not commonly practiced except during a disease outbreak. Although there are 180 latrines in this Sivapuram, they are very seldom used. This is because there is no water available to flush these water-sealed latrines. People defecate in the forests surrounding the village. People understand that boiling water can prevent the spread of disease but choose not to because of the bad taste of boiled water. Hand washing after defecation and before eating is only sporadically practiced. In addition, approximately 70% of households reported keeping domestic animals inside the house, considered to be an unsanitary practice. In the case of other settlements in the Wanni, there are typically no latrines available and proper sanitation is generally not practiced.

### **Water security**

Water for domestic use is available year-round in the community although in less-than-adequate quantities. Due to the fact that water sources here have been installed recently by NGOs, the proportion of households in Sivapuram reporting safe sources for drinking water far exceeds those in agricultural communities. There are five wells in the settlement but only two wells have water for drinking purposes. The other three wells are dry. On average, a family of five was said to consume four pots (100L) of water per day for drinking and cooking. All households have access to the functioning wells, although for some houses the distance to fetch water is about 2km. During the rainy season these wells are also used for bathing water.

But during dry season, due to slow recharge, all bathing and clothes-washing take place in the river, located 3km from the settlement. Although the supply is limitless, the distance obviously restricts the frequency of bathing and washing.

Practices related to water treatment and handling are suspect. Inside the house, water is typically stored in plastic cans, clay pots and buckets. Contamination is possible, although not proven. There is also the suspicion that, apart from the insufficient treatment with chlorine, wells become contaminated due to the influx of waste and rainwater. On the whole, the situation with regard to water is similar for other settlement communities. For settlement communities along the seacoast, well water is usually scarce and other sources must be sought. In some cases, drinking water is supplied from bowsers (tankers), delivered by local NGOs." (CARE October 2000, pp.36-37)

### **IDPs have unprotected wells as their water source in the fishing communities in the Vanni (October 2000)**

- Latrines are not available in Kattalampiddy for either IDPs or locals.
- Locals have access to protected wells while IDPs have unprotected wells as their water source.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "fishing communities". The villages surveyed are the following: Ampalavanpokkanai, Kattalampiddy and Valaippadu.*

"Latrines are not available in Kattalampiddy for either IDPs or locals. Although a program to construct latrines was undertaken in 1997, it failed as the community at that time was not interested, even though the platforms were provided with basins. The reason given was that they were used to open range, did not have the means to construct the enclosure and lack of water. Latrines are available only for local population in Valaippadu and Ampalavanpokkanai. In these villages sanitation practices are not generally practiced, unless there is an outbreak of epidemic. This is due in part to the high price of common detergent soap. Roughly 70% of households keep animals in the house, which could contribute to health problems related to improper sanitation.

### **Water security**

Drinking water is considered a scarce resource in seaside villages. Drinking water wells are not available in Valaippadu or Kattalampiddy. Drinking water is piped into Valaippadu from Veravil (3km away) at a prescribed time each morning. Each family is entitled to a maximum of five pots per day (approximately 25 lt per pot) at a cost of Rs. 1 or 2 per pot. In Kattalampiddy, people travel 1km to the adjoining village of Kalliady where they can fetch any amount of water. In Ampalavanpokkanai there are wells available for drinking water. Locals have access to protected wells while IDPs have unprotected wells as their water source. Overall, nearly 40% of households in fishing villages reported unprotected open wells as their primary source of water.

Water from all of these sources may actually be contaminated. Unprotected and protected wells have not been cleaned or chlorinated for years. People fear if water is drained off wells may not recharge. Chlorine is not available in sufficient quantities in Vanni (restricted by the SLA). All villages report dysentery as a major health threat. In the house, water is stored in plastic cans, clay pots and buckets, all prone to contamination. Other fishing areas, and indeed much of the Vanni, have similar problems." (CARE October 2000, pp. 28-29)

## **Water and sanitation in high potential agricultural communities in the Vanni (October 2000)**

- There are no latrines in any of the IDPs settlements or with the locals in Unionkulam and Thenniyankulam. People there defecate in the open in adjoining jungle, scrub jungle or paddy fields.
- Sanitation practices are not generally practiced unless there is an outbreak of an epidemic.
- Acute shortage of drinking water is a common feature during the dry season.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "high potential agricultural communities". The villages are the following: Thenniyankulam, Pulliyampokkanai, Thanyootu West and Unionkulam*

### **Sanitation**

"Generally sanitation practices in these areas are inadequate. Latrines are in evidence only in resident households in Thanyootu and Pulliyampokkanai. These are older, well-to-do villages and latrine use is common. People installed latrines during house construction long ago. There are no latrines in any of the IDPs settlements or with the locals in Unionkulam and Thenniyankulam. People there defecate in the open in adjoining jungle, scrub jungle or paddy fields. This causes problems during the rainy season as well water could be contaminated. Wells are chlorinated by the health authorities during rainy season only when chlorine is available, which is not often. The Department of Health has not made chlorine available in sufficient quantities in the Vanni for disinfecting wells and not other sources exist.

NGOs provide latrines to new settlement communities but they are soon unusable because of the lack of water for flushing and cleaning. People are aware of sanitation practices like washing hands after use of latrines, before and after meals, etc. but are unable to practice them since even the most common detergent soap is very expensive. Sanitation practices are not generally practiced unless there is an outbreak of an epidemic. In addition, although households in these communities generally have larger dwellings and more financial means, nearly 100% reported keeping animals in the house, a notably unsanitary practice.

### **Water security**

Acute shortage of drinking water is a common feature during the dry season. Drinking water is readily available in Thanyootu and Pulliyampokkanai whereas availability problems are noted in Thenniyankulam and Unionkulam. In the latter two villages, people have to travel from 1/2 km to 1km to fetch water from common or private wells, a task that consumes more than 1 hour for a day. Overall, nearly 70% of households reported unprotected open wells as their primary source of drinking water. Very seldom are wells cleaned or chlorinated. People fear that if wells are pumped for cleaning they may not recharge until the wet season.

During the rainy season well water is more plentiful and is sometimes used for bathing. During dry season washing must be done at some distance at channels and tanks. Water can be contaminated when used for both drinking and bathing or when a common bucket is used to draw water. In Thenniyankulam, well water is saline in part of the village. Most of the other wells go dry during the dry season. The one good well is used by people who have to travel from 1/2km to 1km to fetch water. All the wells in Unionkulam go dry during the dry season forcing women to walk to other sites at that time of year. There is no supply of drinking water provided by bowsers (tankers) in these villages.

People do not normally boil their drinking water although the value of the practice is understood. It is thought that boiled water does not taste as good. As with other sanitary practices, it is only during an epidemic that people feel forced to drink boiled water. On average, a family of five consumes from 3 - 5 pots or 75 to 125 liters of water a day for drinking and cooking. In the home, water is stored in plastic cans, clay pots and buckets." (CARE October 2000, pp. 21-23)

### **Areas for improvement regarding water and sanitation in Welfare Centres (September 2000)**

#### **"Key Recommendations:**

**Accelerate the resettlement and relocation of Government Welfare Centre population** so as to relieve crowding and dependence on public facilities that are difficult to maintain

Ensure **water and sanitation facilities** in all Government Welfare Centres are established and maintained **at a level consistent with SPHERE standards**

**Create opportunities for self-management** in the Government Welfare Centres

Ensure **access of Government Welfare Centre residents' to health services**, particularly **reproductive health**

#### **Core Problem Being Addressed:**

Inadequate sanitation and water facilities in Government Welfare Centres creating health risks

Access to health services for Government Welfare Centre residents difficult

#### **Benefits:**

Improved health for all, in particular women and children

Reduced demand on existing health services reduced

Increased community participation in management and delivery of services

#### **Stakeholders Responsible:**

Commissioner General for Essential Services, Ministry of Relief, Reconstruction and Development for the Northern Region, Ministry of Shipping, Ports, Rehabilitation and Reconstruction, Ministry of Health UN System (UNICEF, UNFPA), NGOs and Human Rights Organisations" (UNHCR September 2000, pp. 10-11)

### **Scarcity of water undermines sanitation efforts in low potential agricultural communities in the Vanni (October 2000)**

- Generally, there are no latrines in these areas, except for the few belonging to affluent permanent households.
- High price of cement and shortage of water prevents construction of latrines
- Availability of uncontaminated drinking water in all these areas is limited

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "low potential agricultural communities". The villages are the following: Koolamurippu, Vallipunam, Vellankulam and Pallavarayankaddu.*

#### **Sanitation**

"Generally, there are no latrines in these areas, except for the few belonging to affluent permanent households. People generally make use of adjoining jungle areas for these purposes. Although people are aware of the health hazards of such behavior, they are unable to construct sanitation facilities due to economic constraints. The high price of cement (50kg cement costs Rs.3500/- in the Wannu whereas in the cleared areas it only costs Rs. 350 to Rs.400/-) has made people reluctant or unable to build permanent latrines. In some cases, the shortage of water is a factor in preventing the construction of latrines.

People are also aware of sanitation practices like washing hands with soap before eating. However, they only employ these practices during epidemics of diarrhea or dysentery. This is due to the scarcity of water and high cost of soap. Boiling drinking water is normally not practiced although its importance is known. Here too, they boil water only during epidemics. Sanitation conditions are deteriorating in settlement neighborhoods due to overcrowding and lack of adequate water. Proper household sanitation is also compromised by the practice of keeping livestock in the house (more than 70% of households surveyed).

### **Water**

Availability of uncontaminated drinking water in all these areas is limited, as materials like cement are costly and scarce. It is essentially beyond the reach of the majority of the population to construct protected wells. Water quality is poor in Palavarayankaddu and Vellankulam, which are closer to the ocean, due to high salinity. In Koolamurippu and Vallipunam, the quality of the water is good, although availability during dry weather is limited. Most households (approximately 70% according to the household survey) use unprotected open dug wells, where the water is often contaminated and the well collapses during the rainy season. The distance for fetching drinking water ranges from 1/4km to 1km. Water is collected 2-3 times a day depending on household requirements. Water is stored in plastic cans, clay pots and buckets." (CARE October 2000, p. 14)

## **Nutrition**

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### **Government is providing a dry food ration to IDPs in welfare centres that falls short of the minimum caloric requirements (August 2002)**

- Uncertainties about the capacity of the Government to provide the Unified Assistance Scheme (UAS) for resettlement, including a six months dry food ration.
- Currently the Government is providing a dry food ration to IDPs in welfare centres that falls short of the minimum caloric requirements.
- Limited funding has hampered WFP-assistance to the most vulnerable group so far.
- Local food production is limited because agricultural infrastructure has been neglected and there has been an almost total absence of essential agricultural inputs and linkages with markets.
- Food for Work activities will be undertaken to help IDP rehabilitate themselves.

"-The Government's Unified Assistance Scheme (UAS) for resettlement consists of Rupees (Rs) 15,000 for immediate needs and Rs. 50,000 for house construction, and 6 months dry food ration. However, it is not clear if the Government will be able to provide this UAS package to all IDPs who now wish to return home. If the UAS is provided to IDP returnees, there will be no need for the UN to provide food as part of a return package.

-Once the survey is completed which indicates the geographical areas of likely IDP return, the UNCT can prioritise areas to focus assistance. For IDPs who do not plan to return to their homes in the immediate future, a review of the need for continued basic assistance to welfare centers is needed, to ensure commitment and security to the affected population. Currently the Government is providing a dry food ration to IDPs in welfare centres that falls short of the minimum caloric requirements. To meet the caloric requirements of the most vulnerable welfare centre residents, WFP's ongoing programme had envisaged relief rations for these particularly vulnerable groups. However, to date WFP has only received 24% of its required resources from donors this year and number of the proposed interventions have not been started.

-Communities affected by the conflict suffer from damaged infrastructure, inadequate basic services, and limited economic opportunities. Local food production is limited because agricultural infrastructure has been neglected and there has been an almost total absence of essential agricultural inputs and linkages with markets.

-FFW activities for rapid rehabilitation of basic community infrastructure, Food for Assets will benefit both the returning IDPs and receiving communities. Local populations and authorities have recommended FFW as an effective modality for such projects as they provide temporary food security whilst creating assets during the critical resettlement and recovery phase." (Government of Sri Lanka & UN 23 August 2002, p. 14)

### **21% of the under 5 population is suffering or at risk of suffering from acute malnutrition (October 2002)**

- A quick nutritional screening using MUAC has shown that 21% of the under 5 population screened in the above locations are at risk or are currently suffering acute malnutrition.
- IDPs in welfare centers only receive rice.
- Most people seem to be surviving on the odd days labouring work to provide for their families

"The following are the results of a quick nutritional screening using MUAC (mid upper arm circumference) of children between 6 – 59 months living in wfcs, temporary resettlement sites and relocation villages in Vavuniya district, where MSFH is working.

### **21% of the under 5 population screened in the above locations are at risk or are currently suffering acute malnutrition. This on top of the chronic malnutrition documented by the Vavuniya MoH office.**

#### NOTES:

1. There is supposed to be a general food ration for those in the welfare centres. At best they receive only rice despite many promises to provide other foodstuffs.
2. Some supplementary food is supplied by the MoH for those <1 year. Canara provide extra nutrition for 3 – 5 year olds.
3. For the relocation sites there was a promise of rations for 6 – 12 months to help them survive the transition period from wfc to independent living.
4. Most people seem to be surviving on the odd days labouring work to provide for their families. Prospects of long term, permanent employment remain slim.
5. Population figures are problematic as the population is very mobile – either looking for work, visiting their former homes or moving to relocation sites. Many families now stay unofficially in the

welfare centres. Some families in the relocation villages have been forced to rent or sell their homes in order to provide for their families. This is also done unofficially." (MSF-H October 2002)

### **Financial constraints and political considerations put displaced people at risk of starvation (March 2002)**

- Hundreds of IDPs have demonstrated in Puttalam to protest against the lack of food.
- In December 2001, the new prime minister decided to freeze the funds of the CGES, a government agency distributing food, in view of crippling that agency under the authority of the President.
- As a result, a large number of displaced people fed by the government were thrown into starvation. The worst hit have been those living in government-run welfare centers in the northern Vavuniya district, and in the areas controlled by the rebels.
- The assistance provided by the new refugee ministry is slow to reach those in need due to new bureaucratic requirements.
- 77,000 IDPs in Welfare Centers in urgent need of food.
- Donor support has fallen sharply, namely because money is diverted to high-profile emergencies like Afghanistan. Only 15% of the requirement for 2002 has been committed so far.
- The IDPs have few other sources of food income.

"It was unbearable hunger that recently drove hundreds of placard-carrying displaced people to protest outside the main government office in Puttalam, a fishing town 330 km north of the Sri Lankan capital Colombo.

"Give us our food, don't let us starve," they pleaded with the government officer.

Their pleas – at least some of them – were heeded the following day when 2,000 of the estimated 20,000 displaced families here received five kg of rice each.

But this rice ration supplied by the government is a fraction compared to the amount that the internally displaced people, who fled the Tamil Tiger conflict years ago, received from the World Food Program (WFP) until three months ago.

Puttalam is not the only place where displaced people are facing the risk of starvation.

Nearly one million of them across this South Asian island nation could be victims of this food crisis – the result of petty politics, empty government coffers and depleted WFP funds – even as the international spotlight focuses on the prospect of new peace talks in the two decade-old Tamil insurgency.

"Is this what the new government has to offer us?" one displaced person asked, referring to the government of Prime Minister Ranil Wickremasinghe, which last month signed a ceasefire with the Tamil Tigers, who are fighting for a separate homeland.

Signs of the depleting rations emerged about three months ago, when the WFP cut the rations. Shortly after, a government agency, the Commissioner General of Essential Services (CGES), stopped its regular supplies of food relief.

Until then, providing relief to displaced groups was a task divided between the CGES and the WFP, with the government agency supplying some 700,000 people with dry food rations worth \$14 for a five-member family. This ration was based on the cost of living in 1993.

The WFP rations went to 77,000 selected displaced persons deemed vulnerable, and included rice, sugar, lentils, coconut oil and iodized salt. Rations were given to every member of the family, and the amount was based on the calorie needs of an individual.

'In November, WFP stopped giving our people rice, the staple meal. During the next three months they were given nothing at all. They were not told before, so they weren't ready,' said a spokesman for the Community Trust Fund (CTF), an organization that works for the welfare of displaced Muslims in Puttalam.

These Muslims were displaced in 1990, when the Tamil Tiger rebels fighting for an independent homeland drove them out of their homes in the and north and east of the country. More than 110,000 of these fleeing Muslims headed to Puttalam, where they have been living since on WFP food rations.

For its part, the WFP says it had begun informing the government in November about depleting stocks of rice and asked CGES to step in and help the displaced communities.

However, the WFP was not aware of a sudden decision by the newly formed United National Front (UNF) government led by Wickmerasinghe to freeze the funds of the CGES in December. The motivation for that, according to an official, was to cripple this relief institution, which was under the authority of the country's president, who hails from UNF's rival party.

Thus, a large number of displaced people fed by the government were thrown into starvation. The worst hit have been those living in government-run welfare centers in the northern Vavuniya district, and in the areas controlled by the rebels.

Since 1996, hundreds of thousands of Tamils have fled their homes in rebel-held territory to find shelter in government-run welfare centers. Of the total number of internally displaced people, nearly 700,000 live in areas controlled by the military, while the rest live in the northern Tamil Tiger-held region.

The new refugee affairs ministry, however, is backing its decision to slash CGES funds by pointing to the abuse and corruption that plagues this government agency, including allegations that its funds were milked to pay for the election campaign of the last government.

The new government has not done much to handle the crisis effectively.

The refugee ministry now provides displaced folk the standard relief package of \$14 to five members in a family only. This includes the former WFP recipients too. Yet in practice, the assistance is slow to reach those in need due to new bureaucratic requirements.

Meanwhile, the WFP has appealed for emergency aid for what some officials call the "forgotten victims of strife in Sri Lanka." According to Jeff Taft-Dick, director of WFP's program in Sri Lanka, a three-year commitment to help those displaced by the conflict has to be shelved because donors are falling short of their pledges.

'High-profile emergency operations like that in Afghanistan are draining limited resources away from prolonged and lesser known humanitarian problems like the conflict victims in Sri Lanka,' he explains.

People living in conflict areas have been long-term victims of malnutrition, states the United Nations Children's Fund (UNICEF). Poor nutrition has had a heavy toll on the health and development of children, leading to stunting, malnutrition, low weight and delayed brain development, it adds.

Mortality of children under five is related to the poor health of mothers among the displaced people, adds UNICEF.

In the past, whenever governments faced financial constraints, the first to get slashed was funding for displaced people. This time, too, with the new government up against a negative growth rate and an empty treasury, they are first in line to bear the brunt of funding cuts." (Inter Press Service 12 March 2002)

"As Sri Lanka enters a critical juncture of its peace process to end 18 years of internal strife, the United Nations World Food Programme called attention to the plight of some 77,000 people living in government welfare centers who are going hungry.

The residents of the welfare centers, who were displaced by fighting in the north and east of the island nation, have been deprived of the food rations they normally get from WFP because donor support has fallen off sharply.

'The food pipeline has nearly dried up,' said Jeff Taft-Dick, WFP Country Director for Sri Lanka. One key reason for this, he explained, is that high-profile emergency operations like that in Afghanistan are draining limited resources away from the prolonged -- and lesser known -- humanitarian problems like the conflict victims in Sri Lanka.

'For the last three months, residents of welfare centers have received very little food, if any,' said Taft-Dick. 'This is causing great hardship to the most vulnerable members of the centers since they have few alternative sources of food or income with which to purchase it.'

Taft-Dick appealed to donors for support, saying, 'At this point, the people who have suffered the most in Sri Lanka need encouragement that there will be a brighter future. We must not let hunger become an obstacle in the road to peace in Sri Lanka.'

Out of an estimated 15,000 tons of food required this year, only 2,500 tons -- approximately 15% -- have been firmly committed by donors. This 2,500 tons will be delivered in April or May. In the meantime, the current stocks of 2,000 metric tons, which arrived in February, are insufficient to cover the needs of all the recipients. The Government has stepped in, but it doesn't have the financial resources to cover adequately the needs of the most vulnerable groups." (WFP 28 February 2002)

### **Food, nutrition and water a main concern in the uncleared areas (October 2001)**

- 92% of the IDPs living in the uncleared areas are eligible to receive dry food rations but only 49% of them actually receive these rations.
- On a number of occasions, the military has stopped or reduced the quantity of food supplies going to the Vanni.
- In 2000, doctors in Northern Mullaitivu hospitals stated nearly 15% of the children born were under weight due to poor maternal nutrition.
- In 2000, 42% of the children below five years in the camps in the uncleared suffered from moderate or severe under nutrition.
- Some 56% of pregnant women and 52% of lactating mothers were anaemic and 50% of young women between the ages of 13 and 19 were malnourished.
- The latest statistics for the Vavuniya uncleared state that 51.7% of male children and 46.2% of female children are underweight.
- 70.8% of the families surveyed in Madhu Open Relief Centres (ORC) mentioned water shortage as a main concern.

## **"Uncleared areas**

Permanent residents and IDPs are unable to meet their food requirements in -the uncleared areas of the Vanni due to the following reasons:

- absence of adequate economic activities, especially farming
- recurrent displacement of the population
- insufficient allocation of dry rations and other food items for the uncleared supplies allocated stopped by the military from reaching the uncleared

### **-Food**

According to figures from Vanni districts GAs, out of the total 379,400 IDP population in the uncleared Vanni, 350,000 are eligible to receive dry food rations. However only 170,000 are actually provided with dry rations. Thus 51% of IDPs in the uncleared Vanni do not receive the dry food rations to which they are entitled. February 2001 reports stated that some families faced starvation.

However, the Civil Affairs Coordinator, Vavuniya and Uncleared claims that 80% of the food requirement for the IDPs in the Uncleared is met. When asked why food was not supplied to the remaining 20%, he said that the GAs in the Uncleared 'never give correct information'. He claims that there are approximately 200,000 IDPs, while food is supplied to 170,000.

On a number of occasions, the military has stopped or reduced the quantity of food supplies going to the Vanni. In July 1998, despite claims by some officials of a severe food shortage in the Vanni, the supply was cut by about 40%, most directly affecting the displaced populations of Killinochchi and Mullaitivu districts. In addition, the government stopped providing food rations to those IDP's living outside the WCs. The government insisted that the moves were justified and that the amount of food supposedly needed in the Vanni was being inflated.

In December 1999, the MoD permitted 60 lorryloads of food every week, but Vanni government officials say that 515 lorryloads a month were needed to overcome the food shortage problems in the area. The number of trucks currently allocated to transport CGES or Multi Purpose Cooperative Society (MPCS) food to the uncleared is approximately half the number of trucks required. In April 2001, only between 1/5 and 1/2 of those trucks allocated were actually sent to Killinochchi and Mullaitivu.

### **-Nutrition**

Malnutrition is having serious health consequences for the displaced community in the uncleared areas of the Vanni.

In 2000, doctors in Northern Mullaitivu hospitals stated nearly 15% of the children born were under weight due to poor maternal nutrition. Twenty Five children under 12 were admitted to Killinochchi hospital in December 2000 suffering from malnutrition. Wasting malnutrition has also been reported.

In 2000, 42% of the children below five years in the camps in the uncleared suffered from moderate or severe under nutrition. Some 56% of pregnant women and 52% of lactating mothers were anaemic and 50% of young women between the ages of 13 and 19 were malnourished. The latest statistics for the Vavuniya uncleared state that 51.7% of male children and 46.2% of female children are underweight.

Malnutrition of IDPs in uncleared Trincomalee is also reported.

### **-Water**

Drinking water is a further concern. People have to walk long distances to find water and are sometimes forced to use tank water for drinking purposes, which is particularly unsafe as the tanks are also used for bathing. 70.8% of the families surveyed in Madhu Open Relief Centres (ORC) mentioned water shortage as a main concern." (CPA October 2001, pp. 34-35)

### **Food, nutrition and water in the cleared areas (October 2001)**

- Food requirement of displaced communities in the cleared areas of the island are not met, due to shortages, delays, poor nutritional quality, disentanglement of some IDPs
- WFP or CGES provides the food to the IDPs.
- Displaced in Anuradhapura complain that the dry food rations issued every two weeks are not enough for one week.
- Delays and shortages are due to delay in the shipment of WFP dry food rations, a lack of funds by the WFP, a delay by the Department of Social Services in the delivery of rations from Colombo to IDP settlements or in paying the fees of the lorries, a delay in the receipt of entitlement documentation from the field to the Social Services Department or bureaucratic inefficiency from all parties.
- There are recurring delays in the delivery of supplementary food for children, pregnant and lactating mothers.
- Little attention is paid to the special needs of vulnerable groups, such as expectant and breast feeding women, children, female headed households, the elderly or large families, in the food entitlements.
- The variety of food items in the diets of IDPs in welfare centres, those in the uncleared areas and those with insufficient cash to purchase supplementary food is a major concern, especially for children, and pregnant or lactating mothers.
- Water shortages is a major problem in welfare centres and resettled/relocated villages

#### **Cleared areas - island wide,**

##### **- Food**

The food requirement of displaced communities in the cleared areas of the island are not met due to the following reasons:

- Delays and shortages in receipt of food entitlements
- Poor nutritional quality and inadequate quantity of the rations
- Disentanglement of certain IDPs
- Lack of employment opportunities to supplement or replace rations

Displaced persons, if entitled, receive dry food rations from either the Commissioner General of Essential Services (CGES) or from the World Food Programme (WFP).

The CGES entitlement of a maximum of Rs1,260 worth of dry food for a family of five has not been increased in line with inflation since 1993. Consequently, the quantity of food received by IDPs has been decreasing and is at present only sufficient to meet the basic needs of IDPs for approximately 20 days. Indeed, the displaced in Anuradhapura complain that the dry food rations issued every two weeks are not enough for one week. It is estimated that a family of five would currently require Rs 2,920 to subsist.

The WFP food assistance, which is now being given to all IDPs in Vavuniya WCs, is of a higher value and based on calorific needs per person. However as the assistance is provided in kind and as the Government is not supplying IDPs with other necessary items, such as vegetables, protein sources or soap, those unable

to work often sell their dry food rations to buy other essentials. WFP rations are imported from abroad with the result that IDPs are dissatisfied with the quality of rations. For instance, IDPs in Welfare Centres in Vavuniya prefer red nadu rice, while the WFP supplies white raw rice.

There are numerous reports of delays in receipt of the already meagre dry food rations and of shortages. Delays and shortages may be due to several causes:

- a delay in the shipment of WFP dry food rations
- a lack of funds by the WFP
- a delay by the Department of Social Services in the delivery of rations from Colombo to IDP settlements or in paying the fees of the lorries
- a delay in the receipt of entitlement documentation from the field to the Social Services Department
- bureaucratic inefficiency from all parties

The IDPs in WCs in Vavuniya, receiving WFP rations, reported that sugar had not been delivered to them in the past 4 months. They further stated that their ration of rice had been reduced for a period of three months. According to the Department of Social Services, as of July 2001, the WFP had not provided sugar for 7-8 months. The Department of Social Services took a loan from another project and bought sugar, but the loan dried up and no sugar has been supplied for the last four months. Though there have been delays in rice supply, the Director of Social Services claims that either from the buffer stocks or through loans, the department attempts to maintain regular supplies.

There are recurring delays in the delivery of supplementary food for children, pregnant and lactating mothers. The supplementary food supplied by the WFP includes Corn Soya Blend (CSB) which is reportedly spoilt or out of date by the time it reaches IDPs. As women tend to eat after the other family members they are consequently all the more affected by the food shortages and delays.

On 26 June 2001, it was reported that the food assistance to 226 Sinhala displaced families in Boralukanda Padaviya, Anuraddhapura will have to be stopped due to lack of funds. In a Sinhalese camp near Mihintale, Anuradhapura, the IDPs complained that the 10 weeks' worth ration package they receive is less than their daily entitlement, namely Rs 80's worth of dry food per person per week. While IDPs in Valachchenai Welfare Centre, Batticaloa, have complained that their dry food rations have been stopped under the pretext that their earnings are now adequate, a fact they deny.

Little attention is paid to the special needs of vulnerable groups, such as expectant and breast feeding women, children, female headed households, the elderly or large families, in the food entitlements. For instance, CGES food ration packages are for a family of 5 members maximum. This is of very serious concern as it deprives large families of essential food and nutrition. This endangers their health and lives as family members will share their meagre rations. Such a policy further victimise parents of a sixth child and may lead to tension and rejection of the child within the family unit. Similarly, Anuradhapura IDPs complain that children born after displacement are not entitled to rations.

IDP families whose relatives go abroad are cut off from entitlements immediately, without consideration of the means of those who have sought employment abroad and of the families which are left behind.

Lack of income earning opportunities, freedom of movement and resettlement or relocation assistance has resulted in IDPs becoming dependent on food hand outs. This is a particular concern in restricted WCs where residents' survival is often entirely dependent on rations.

### **-Nutrition**

The variety of food items in the diets of IDPs in welfare centres, those in the uncleared areas and those with insufficient cash to purchase supplementary food is a major concern, especially for children, and pregnant

or lactating mothers. Not only are dry food ration packages insufficient in quantity, but they also do not include necessary items, such as fruit, vegetables, milk and protein sources such as meat or fish.

Poor nutrition has had terrible consequences on the health and development of children, including stunting, malnutrition, low weight and delayed development. Draft results of a WFP survey of displaced populations in welfare centres indicate a prevalence of stunting among those living in restricted welfare centres compared with the national average (WFP 1999). A Nutrition Survey Report of April 2000 indicates that 42.3% of children under five in WCs in Vavuniya are underweight. In one report, about one third of the children surveyed had delayed milestones development, including in the fixing of the head, sitting and walking without help and calling the father and mother.

Morbidity and mortality for infants and under five year old children are often related to the poor health of mothers. Fifty eight percent of all infant and under five deaths in these areas are due to short gestation periods and low birth weights.

#### **-Water**

Water shortages is a major problem in welfare centres and resettled/relocated villages. Some camps such as the Clappenburg camp in Trincomalee have become notorious for inadequate and bad conditions, notably, the scarcity of drinking water facilities.

As of July 2000, about 100 refugees at Skandavarodaya College, Chunnakam were said to be without drinking water facilities. In one part of Nelukulam WC, Vavuniya, there is provision for drinking water inside the camp, but when shortages occur the residents have to go outside the camp for bathing purposes. The residents then have to pay Rs 10 for a pot of water from outside for bathing and other purposes. The residents have to fight for water as only one bowser instead of the three needed was provided at the time of CPA's visit. This in turn has serious consequences on the hygiene and health of the residents in the camps." (CPA October 2001)

#### **Locals more food secure than IDPs in "resettlement villages" in the Vanni (October 2000)**

- Settlement households in Sivapuram can be characterized as food insecure for reasons related primarily to market access and low productive capacity.
- Productivity is limited by a lack of necessary inputs such as seeds, fertilizer implements. Such inputs are said to be available on local markets but at prices well beyond the means of the IDP families.
- The household survey revealed that on average, settlement families are consuming fewer than two meals per day, while averages for all other groups were around 2.5 meals per day.
- Local residents are in a similar situation as the IDPs but are a step above as they have more wage labor opportunities than settlers, more land for cultivation and also derive income from permanent crops.
- Observation by the survey team led to the conclusion that settlers suffer from some degree of malnourishment.
- Rates of acute malnutrition are relatively low in the Vanni but stunting rates are relatively high

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "resettlement villages". The villages surveyed are the following:*

## *Sivapuram, Thunukkai and Kalvilan*

### **Food security**

Settlement households in Sivapuram can be characterized as food insecure for reasons related primarily to market access and low productive capacity. The main source of food, the monthly dry food ration provided by the government, is not always delivered in a timely manner. The monthly dry ration is said to be adequate for only about eight days per month. Settlers also get food from cultivating their ½ acre of land, often with pulses, during the rainy season of October to February. They consume part of the production and sell the rest. It was estimated that the average household can at best fulfill 10-20% of its food needs by growing crops. Productivity is limited by a lack of necessary inputs such as seeds, fertilizer implements. Such inputs are said to be available on local markets but at prices well beyond the means of the IDP families. The household survey revealed that on average, settlement families are consuming fewer than two meals per day, while averages for all other groups were around 2.5 meals per day. Settlement households own no large livestock to speak of although about 4-5 chickens are kept per household. No households reported having bought or sold livestock in the past year.

These households also purchase a significant portion of their food with income gained during farm labor activities. This work takes place mainly during October - November, February - March, May - June and August. Although labor opportunities are scarce for this settlement, this is the coping mechanism of choice for nearly 50% of household surveyed. An even higher proportion of households chooses to reduce or forego meals when food is scarce (approx. 90%). Mortgage or sale of non-livestock assets and borrowing from formal and informal sources were also common coping strategies.

The local residents of this village have been more secure with regards to food. They generally have at least two acres of land and grow food crops, such as pulses, as well as permanent crop like coconut. These families are in a similar situation as the IDPs but are a step above as they have more wage labor opportunities than settlers, more land for cultivation and also derive income from permanent crops. In the past the government provided food stamps to locals with income less than Rs.750/= per month. This has been withdrawn. The general situation has become worse with the embargo and locals too suffer and are food insecure.

### **Nutrition security**

Observation by the survey team led to the conclusion that settlers suffer from some degree of malnourishment. People generally look feeble and thin, particularly children and the elderly. Community members, particularly the health volunteer, stated that deaths attributed to malnutrition are rare but that many people are subject to the long-term impacts of poor diet and inadequate food intake. This corroborates other sources, which have shown that rates of acute malnutrition are relatively low in the Wanni but stunting rates are relatively high. In the household survey, results show that settlement families consume meat fewer than one time per month, about a quarter as often as families in agricultural communities. Consumption of fruits and vegetables, while fairly low at about 3 servings per week, was comparable with agricultural sites. The proportion of households with home gardens, approximately 30%, is also comparable with agricultural communities.

Community respondents spoke of frequent afflictions caused by micronutrient malnutrition, particularly blindness and goiter. This is due to deficiencies of Vitamin A and iodine in the diet. Discussions in the community led to the conclusion that mothers are generally aware of the need for and composition of a proper diet but that they do not always have the means to produce or obtain the ingredients. Generally, breastfeeding and weaning practices are good although in some households babies are weaned early to allow the mother to participate in wage labor activities. Efforts of NGOs often contribute to better nutritional status in Sivapuram and most other settlement communities. In this case, TRO is assisting in a

supplementary feeding program for pre-school children, pregnant and lactating mothers." (CARE October 2000, pp. 34-35)

### **IDPs as food insecure as locals in "fishing communities" in the Vanni (October 2000)**

- Food insecurity is a problem for both IDPs and fishing families in these villages. The main source of food for IDPs is from dry ration distributions.
- A secondary source of food for IDPs is purchase from the local market with earnings from occasional labour work.
- Village health agents report concerns regarding malnutrition, mostly of children under five, pregnant and lactating mothers and elders

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "fishing communities". The villages surveyed are the following: Ampalavanpokkanai, Kattalampiddy and Valaippadu.*

#### **Food security**

Food insecurity is a problem for both IDPs and fishing families in these villages. The main source of food for IDPs is from dry ration distributions. Availability depends on the timely arrival of convoys and equitable distribution among communities and households. Here, as in other communities surveyed, it was estimated that the monthly dry ration is adequate to satisfy their food needs for only 8-11 days a month. A secondary source of food for IDPs is purchase from the local market with earnings from occasional labour work. If convoys are delayed than coping mechanisms are used. They reduce the quantity of food consumed/forego meals (approximately 64%) or eat less desirable alternate foods like palmyra products, young coconuts, dried seasonal fruits and locally-produced yams (50%). The household survey also revealed that borrowing from friends/relatives/others and the sale/mortgage of assets are also commonly employed strategies during food shortages.

Local fishing households depend on food purchased from the sale of fish. The average daily catch per fisherman is about 2kgs. The average price of fish per kg is Rs.40/=, equal to an average daily income of Rs.80/=, which is hardly sufficient to cover household expenditures, particularly food. Food is generally available in the market but people have financial constraints restricting purchase. During off-seasons the income of the fishing communities is minimal and purchasing power for food items is significantly reduced. During the months of November and December there is very little fishing activity due to heavy rains and high tides. Recalling the restrictions mentioned earlier, the government has in the past issued food stamps to fishermen banned from fishing. This has been stopped, putting certain fishing families at risk.

Some permanent crops are grown in households of local residents, including coconut, palmyra and moringa (drumsticks). Generally though, land suitable for agriculture and water for irrigation are not available in fishing communities. Little agricultural production occurs. With the exception of poultry (on average about 3 per household), households in these communities admitted to owning virtually no livestock. Only about 25% of household bought or sold livestock in the past year.

#### **Nutrition security**

Village health agents report concerns regarding malnutrition, mostly of children under five, pregnant and lactating mothers and elders. Frequent pregnancy is noted in women. Pregnant and lactating mothers are affected by anemia. In Kattalampiddy a high rate of blindness was noted due to micronutrient deficiency.

Vallaipaddu two cases of goiter were noted. In Ampalavanpokkanai 75% of pregnant and lactating mothers and children under 5 years were said to be malnourished. Several cases were reported of children being born underweight in these communities. Such babies have low resistance to disease and are subject to prolonged sickness. There is also evidence of iron, Vitamin A, and iodine deficiency. A few cases have been sent to Vavuniya for treatment.

Some of these problems seem due to shortcomings in the diet. While getting plenty of fish protein, people in fishing communities do not often eat vegetables such as green leaves and yellow vegetables. Consumption of fruits and vegetables is considerably less than agricultural communities and was measured at 1.5 times per household per week. Only 8% of household reported having a home garden, compared to more than 30% in agricultural communities. Among other questionable dietary practices, weaning in these communities takes place between 1 and 1 1/2 years because of malnutrition of nursing mothers.

Supplementary feeding is not common in any of the villages, either fishing or non fishing. The feeding program depends on the availability of funds through INGO's or national NGOs. Currently, TRO and HUDEC are implementing supplementary feeding programs for children under five years, school-aged children, and pregnant and lactating mothers in Ampalavanpokkanai and Valaippadu. There is no regular supplementary feeding in Kattalampiddy." (CARE October 2000, pp. 27-28)

### **Low income hampers IDP's access to food in "high potential agricultural communities" in the Vanni (October 2000)**

- Average household production in these villages exceeds that of household in low potential agricultural villages by four to one. It is important to mention that some of these villages host the largest numbers of displaced population. IDPs do not own lands and this causes a major difference of food security standards within the same village.
- Even though food is available on the market, the vulnerable groups (IDPs) mentioned above have no access due to low income and/or inadequate finance capacity.
- IDP families are chronically food insecure. While all such families receive a monthly ration, they get only about 50% of what they are entitled to. This is due to the fact that the Government's estimate of the number of IDP families is less than the actual figure.
- In each of the villages evidence of malnutrition was reported by the Health Agents, the women group, large group and/or the G.S.O. This problem was said to be most prevalent among IDPs, female-headed households and low income groups.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "high potential agricultural communities". The villages are the following: Thenniyankulam, Pulliyampokkanai, Thanyootu West and Unionkulam*

#### **Food security**

"Most permanent farm households in Thanyootu, Pulliyampokkanai and Unionkulam have traditionally been food secure, although declining trends in productivity are of concern. The production has been decreasing mainly due to the scarcity of inputs such as fertilizer, seeds, kerosene, agro-chemicals etc. The main staple food crop is paddy and all these farmers grow new improved varieties, which are highly responsive to nitrogen fertilizer. Unfortunately fertilizer is not available in the required quantity and at the right time. According to the farmers the yields have reduced. In the past they produced an average of 30-35, 70kg bags per acre. At present the farmers get only 15-20 bags per acre. Due to the scarcity and high cost of kerosene there is no tractor tillage. Ploughing is now done with animal traction, which causes

delays in cultivation and also contributes to yield losses. Despite these constraints, average household production in these villages exceeds that of household in low potential agricultural villages by four to one. It is important to mention that some of these villages host the largest numbers of displaced population. IDPs do not own lands and this causes a major difference of food security standards within the same village.

Farm households in Thenniyankulam have a history of chronic food insecurity due to generally smaller per household plots. In addition, other livelihood groups, primarily laborers, land-poor subsistence farmers and female-headed households find it difficult to access food due to their economic condition. If the convoys come regularly food is available; access to it is the main problem. At times, however, convoys are disrupted affecting the availability of sugar, flour, dhal, milk powder, potatoes etc. As stated, kerosene oil has been in chronic short supply as the government has approved only 600 ml per family per month. Wide disparities exist between these villages and the south with regard to prices of basic commodities. Local production (e.g. red rice, fish and meat) is considerably cheaper in the Wannai than in the south. Surplus producers cannot exploit the higher prices in the south unfortunately due to travel and transport constraints. Products imported from the south (i.e. the contents of convoys mentioned above) are from 2-10 times more expensive in the Wannai.

Generally food shortages are experienced from September to January during the Maha cultivation period. During this season even vegetables are in short supply due to heavy rains. Even though food is available on the market, the vulnerable groups (IDPs) mentioned above have no access due to low income and/or inadequate finance capacity. People most often cope with food shortages by reducing the number of meals per (sometimes not eating at all) or by changing the dietary patterns. About 50% of households eat porridge, yams, lotus seeds or other less desirable foods during times of shortage. Taking loans from family/friends or more formal sources was also a coping mechanism frequently mentioned. Alternative jobs, sale of assets, sale of livestock, and mortgaging of assets were coping mechanisms mentioned by only 10% of households.

IDP families are chronically food insecure. While all such families receive a monthly ration, they get only about 50% of what they are entitled to. This is due to the fact that the Government's estimate of the number of IDP families is less than the actual figure. Therefore the approved ration issue is distributed evenly among a larger number of IDP families. This is an internal arrangement as the local Government Agents are compelled to look after all IDPs. For example, there are an estimated 38,500 IDP families in Mullaitivu. However, the Government has approved rations for only 16,952 families. In Kilinochchi, the ration is issued for 14,635 families while others estimate that there are more than 30,000 families who qualify. Ultimately, each family only receives about 50% of the approved ration per month. But those who are felt that the ration was adequate for only 7 days of the month. Other than the food relief provided by the Government, a few IDP families received food rations from Seva Lanka (a national NGO) for about three months per year. In 1998, Seva Lanka assisted about 700 families displaced from Vavuniya North about for 3 months, while this year they assisted 1,100 families from Jaffna for 2 months. No food assistance is provided to household other than IDPs.

### **Nutrition security**

In each of the villages evidence of malnutrition was reported by the Health Agents, the women group, large group and/or the G.S.O. This problem was said to be most prevalent among IDPs, female-headed households and low income groups. There are also reported cases of goiter due to iodine deficiency and blindness due to Vitamin A deficiency. The team observed that some people were very feeble in appearance, especially elders and young children. People are subject to repeated malaria attack, which they attribute to the general physical weakness.

The normal pattern of food consumed includes a high percentage of starch and lesser quantities of proteins and other nutritious foods. People mostly eat rice; fish or meat is only seldom added to the meal. Fruits and vegetables are also eaten only rarely in the homes of the most vulnerable groups. Even though

awareness of proper diet has been created by the village health volunteers, purchase of nutritious foods was said to be impossible for most people because of high prices and low income. About 35% of households surveyed had a home garden. Some of the institutions in these villages are carrying out supplementary feeding programs for pre-school children, pregnant and lactating mothers and in schools for children under grade 6." (CARE October 2000, pp. 20-21)

### **Insufficient food rations made available for IDPs in low potential agricultural communities in the Vanni (October 2000)**

- IDPs are the most food insecure. The IDPs in these villages depend mainly on dry ration distributions and wage labor, if opportunities are available.
- The disparity between the Government's figure for the number of IDPs and the local Government agents' number causes a second reduction in the per-family per-family ration.
- The worst affected by malnutrition are likely the IDPs and the labor groups due to dietary restrictions imposed by low income.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "low potential agricultural communities". The villages are the following: Koolamurippu, Vallipunam, Vellankulam and Pallavarayankaddu.*

#### **Food security**

"IDPs are the most food insecure. The IDPs in these villages depend mainly on dry ration distributions and wage labor, if opportunities are available. The dry rations given to them at present are said to be sufficient for about 8-12 days a month. A family of five is supposed to receive the following as a monthly ration: 10kg wheat flour; 25kg rice; 3kg sugar; and 4kg dhal. Currently, however, IDPs only receive 50% of the above ration. The Central Government's figure for the number of IDP families is less than that of the calculations made by the local Government agents. The disparity causes a second reduction in the per-family per-family ration. Also, price of these items in the market are such that few can afford to buy food to satisfied households needs.

Food security is variable among local households in these villages. Those households with access to significant farmland (e.g. Pallavarayankaddu) can produce adequate food for 6 - 10 months of the year. However, food availability varies from year to year as yield is sometimes below expectations. There are many local residents involved in farming who find it hard to meet day to day food requirements. The permanent residents of the villages do not get dry rations. They must seek work as daily laborers to try supplement their income. Other coping strategies are employed in times of greater need. About 63% of households stated that the sell or mortgage livestock or other household assets in times of food shortage.

Pallavarayankaddu and Vellankulam are more food secure in comparison to the other two villages, as the paddy produced in the village is sufficient for at least 10 months. The people in this community also produce vegetables, eggs and milk. Even so, they are typically able to have three meals a day for only 4-5 months of the year. During the rest of the period they forego meals or consume alternative foods. In Pallavarayankaddu, people are often able to avoid food shortages because they have cattle, poultry and are also involved in limited highland crop cultivation, where they get pulses and vegetables. The worst are Vallipunam and Koolamurippu. In Vallipunam people depend entirely on labor and to a very small extent on highland cultivation of pulses. The labor group in Vallipunam gets sufficient employment opportunities from October to March, and during this period there is no food shortage.

## **Nutrition security**

Nutritional status in general appears poor as people are visibly feeble. There have been no reported deaths due to malnutrition in these villages but people are subject to frequent disease attacks as their resistance is reduced. The worst affected are likely the IDPs and the labor groups due to dietary restrictions imposed by low income. Signs of Vitamin A deficiency can be observed in terms of impaired sight and signs of iodine deficiency can be observed through increased incidence of goiter. Also it is reported that people with poor nutritional status are weaker and, therefore, have lower defenses against being infected with malaris. The most affected are children, pregnant and lactating mothers, and elders.

Although people are knowledgeable about proper nutrition they do not have the financial ability to buy nutritious food. School feeding programs are only implemented in Vellankulam and Vallipunam. When possible, children under five are provided leaf porridge in the home to balance a diet heavy in starches. Approximately 30% of households surveyed reported having a home garden.  
" (CARE October 2000, pp. 12-13)

## **Shelter**

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### **Some 160,000 houses have been damaged or destroyed (July 2002)**

- No comprehensive study has been carried out to assess the damage in the north-east.
- In Jaffna, it is estimated that 120,000 buildings, including 80,000 houses, had been damaged or destroyed.
- Few people have received compensation or assistance to rebuild their houses.
- The reconstruction of the regions devastated by war is expected to cost hundreds of millions of dollars and analysts believe that the peace process depends on massive foreign aid.

"A large part of the infrastructure in the north-east, where most Sri Lankan IDPs and refugees come from, has been destroyed. No comprehensive study has been carried out to assess the damage. But a study carried out in Jaffna in 1991 on the destruction in the Jaffna city at the time may provide some scale of the damage. Damage to buildings alone in the Jaffna city was estimated at Rs 4 billion (\$42 million). There has been considerably more destruction since this study. Before the destruction of the entire town of Chavakachcheri in September 2000, the Jaffna government secretariat estimated that 120,000 buildings, including 80,000 houses, had been damaged or destroyed in the Jaffna peninsula. A similar number may have been destroyed in the east. Returning refugees to Thiriyai in Trincomalee District in June 2002 found that their entire village, including a 200 year-old temple, had been razed to the ground.

Comparatively few people have received compensation or assistance to rebuild their houses. The European Commission says that there has been 'major destruction of towns and villages in the North and East of the island'. The Commission's targets, given below, in the assistance programmes indicate the massive task facing the Sri Lankan government, the international agencies and the local population in reconstruction:

- Improve access to potable water and construct adequate sanitary facilities. Training projects on the principles and practicalities of clean water and sanitation.
- Increase household food production: Rehabilitation of irrigation systems to improve crop production.
- Health and community services: Establishment or renovation of health facilities and improved access to emergency and specialized care. Renovation of orphanages and assistance with projects to improve community activities. Provision of materials and labour costs to reconstruct and renovate schools.

- Increase capacity for vocational training, and to support business opportunities through small business loans.
- Provision of semi-permanent shelter, storage space for contingency stocks of relief supplies and project related equipment and basic domestic items. Improve access to services, schools, offices and other public facilities.

The reconstruction of the regions devastated by war is expected to cost hundreds of millions of dollars and analysts believe that the peace process depends on massive foreign aid. The Sri Lankan government says that the previous government had not left funds for re-development. The government arranged a visit in late May for the heads of 40 foreign missions to Jaffna for an assessment of the needs." (BRC July 2002, pp. 13-14)

### **IDP shelter is wholly inadequate (October 2001)**

- IDPs not accommodated by friends and relatives do not have adequate shelter.
- Respiratory infections, which are a leading cause of death in the Vavuniya WCs, are a consequence of the lack of ventilation and adequate space in the WCs

"The shelter of IDPs who are not living with friends and relatives is wholly inadequate. Many IDPs have constructed their own huts from cadjun leaves, plastic sheetings and corrugated iron, which was either given to them by the government, NGOs or local villagers, or which they have bought or found. Those who have been displaced for many years, such as the Muslim IDPs forcibly evicted from Mannar and Jaffna, have constructed more permanent shelter at their own expense. Those whose means allow are often reluctant to construct permanent houses as the land they are occupying does not belong to them. IDPs who have settled outside government camps have only received minimal assistance – whether financial or in kind – to build huts.

#### **-Vavuniya**

All the facilities provided in Vavuniya camps were meant to be purely temporary but have been in use for over 5 years and are in urgent need of repair. IDPs in government Welfare Centres have often had to build their own houses with the scarce material given to them. Others share large buildings – schools, warehouses, etc. - with dozens of other families, each family being separated from the other by makeshift partitions made out of plastic sheeting or bags, old linen or saris. The space allocated per family in those buildings, namely 10' by 10', is totally insufficient and does not take into account the size of the respective families. In many cases the space is so confined that some family members sleep outside. There are no windows and hence no light in those buildings. The ventilation is very poor and there is no separate space for cooking facilities. As most of the time the roofing is made of metal or tar sheets, the rooms are unbearably hot and stuffy at certain hours of the day.

Inadequate shelter has had serious health, privacy and security repercussions. Respiratory infections, which are a leading cause of death in the Vavuniya WCs, are a consequence of the lack of ventilation and adequate space in the WCs. Families and especially women suffer from lack of privacy. They are particularly vulnerable to sexual harassment as men look at them through the thin partitions.

Open space is inadequate with limited opportunities for recreation for children.

#### **-Puttalam & Kalpitiya**

Many Muslim and Sinhalese IDPs in Kalpitiya whose shelters were affected by the cyclone in 2000 were not given any assistance to rebuild their destroyed shelters. Many Muslim IDPs, ten years after their arrival in Puttalam, continue to live in temporary huts and shelters." (CPA October 2001, pp. 40-41)

### **Housing conditions for IDPs are well below standards in the "fishing communities" in the Vanni (October 2000)**

- Housing conditions for IDPs are well below standards for anything but a very temporary stay.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "fishing communities". The villages surveyed are the following: Ampalavanpokkanai, Kattalampiddy and Valaippadu.*

"The more affluent permanent families live in permanent buildings made of durable materials. Other permanent residents have more temporary dwellings, but which also can have cement walls and tiled roof. It is the IDPs that are insecure with regard to habitat. Most IDPs live in one-room cadjan huts with the remaining living in welfare centers where they are provided with space of only 10 feet by 10 feet. Most of the IDP huts need thatching and they have no means to do it. They are earnestly waiting for assistance from INGOs. The floors of the IDPs sheds is pure sand to clean they have to remove the old sand and replace with new sea sands, a difficult task. Generally, housing conditions for IDPs are well below standards for anything but a very temporary stay. " (CARE October 2000, p. 31)

### **Most IDPs and locals live in temporary shelters in low potential agricultural communities in the Vanni (October 2000)**

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "low potential agricultural communities". The villages are the following: Koolamurippu, Vallipunam, Vellankulam and Pallavarayankaddu.*

"In all four villages sampled, a majority of the people lives in small temporary huts built within a compound of ¼ to ½ acres. A few locals (approx. 5%) own permanent houses, which are small in size (600 to 700 sq.ft.). The IDPs and locals living in temporary shelters expect assistance either from the government or NGOs for cadjans to thatch the roofs of the huts. The huts are to be re- thatched before the rainy season's starts in October." (CARE October 2000, p. 16)

### **IDPs live in temporary huts in high potential agricultural communities in the Vanni (October 2000)**

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "high potential agricultural communities". The villages are the following: Thenniyankulam, Pulliyampokkanai, Thanyootu West and Unionkulam*

"In the villages of Thenniyankulam and Thanyootu, the houses of permanent residents are made of durable materials (e.g. cement and tiles). IDPs, on the other hand, live in temporary huts. Housing is less secure in the case of other two villages where permanent residents generally only have semi-permanent structures while IDPs live in the same type of temporary hut. The permanent structures have a minimum of two rooms plus a veranda and a kitchen. Semi-permanent and temporary houses generally have one room with an extension for a kitchen and veranda. Most of the IDP huts need rethatching but the inhabitants have no means to do this on their own and expect assistance from external agencies." (CARE October 2000, p. 24)

### **Need for improved shelters for IDPs in "resettlement villages" in the Vanni (October 2000)**

- Homes provided to settlement families are small and basic. The houses are normally temporary huts made of poles and thatched with cadjan.
- A constraint to significant investment in housing is the likelihood that a given family may choose or be forced to move during times of active conflict.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "resettlement villages". The villages surveyed are the following: Sivapuram, Thunukkai and Kalvilan*

"Homes provided to settlement families are small and basic. The houses are normally temporary huts made of poles and thatched with cadjan. The huts have mud walls in some cases, depending on the skills and capacity of the family. Settlers' huts typically have one room with an open veranda and an extension on one side to serve as the kitchen. The hut is situated within the 1/2-acre allotment. Most of the huts need rethatching and with the rains they will not be livable. Community members claimed not to have the means to rethatch their huts. The raw materials for re thatching the roofs are cadjans, available locally. However, to thatch a roof of a normal sized hut, the cadjan alone will cost Rs.3000/= ( A hut needs 150 pairs of cadjans, the rate is Rs.20/= for a pair). A poor family find it difficult to find Rs.3000/= and expect assistance either from government or NGOs. This problem of poor condition of huts applies to other settlements in the Vanni, as well. A constraint to significant investment in housing is the likelihood that a given family may choose or be forced to move during times of active conflict. Scarce financial resources might be wasted if home improvements were done shortly prior to a movement." (CARE October 2000, p. 38)

## ACCESS TO EDUCATION

### General

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#### **Up to 40% of children in the Vanni are not enrolled (August 2002)**

- All education facilities are basic and many have been seriously damaged. Out of the 1,990 schools in the North and East, 172 are non-functional.
- There is a shortage of 4,500 teachers in 2002.
- Over 130 schools are partly or fully occupied by the Armed Forces and children have to pass through security checkpoints on the way to school.
- The average dropout rate in the north and east is 15.8% compared with the national average of 3.9%.

Source: UNHCR, 23 August 2002

"-The two decades of conflict in Sri Lanka has resulted in an education 'crisis' in the war-affected areas. With people returning to their place of origin, one of their first priorities is to re-establish schooling.

-All education facilities are basic and many have been seriously damaged. Out of the 1,990 schools in the North and East, 172 are non-functional.

-In the Vanni districts in particular, there is an enormous shortage of quality school buildings, teachers and all other facilities. Many schools do not have any furniture or equipment.

-The Provincial Director for Education in the Northeast Province has stated that they have a shortage of 4,500 teachers in 2002.

-Over 130 schools are partly or fully occupied by the Armed Forces and children have to pass through security checkpoints on the way to school.

-The average dropout rate in the north and east is 15.8% compared with the national average of 3.9%. Up to 40% of children are not enrolled or having dropped out in some areas of the Vanni, and even enrolled children are missing up to 30% of their education through irregular attendance." (Government of Sri Lanka & UN 23 August 2002, p. 22)

#### **Joint UN-Government proposed response to the education needs (August 2002)**

- Mullaitivu, Kilinochchi, Vavuniya, and Mannar will be the priority areas for education programmes.
- UNICEF will focus on the rights of returning IDPs and the existing population in their home communities where access to schooling is difficult or impossible.

"[Objective:]

To support Government and NGO partners to provide basic education for the planned 150,000 schoolage boys and girls and to reach the ultimate goal to reintegrate all children back to school. The 'All Children Back to School Programme' with strong partnership linkages will be the vehicle for the promotion of peaceful coexistence and is expected to deliver the first 'peace dividend' for all. The programme design also allows for the reintegration of former under age combatants, child labourers including other children under its 'catch up' segment.

**Priority Areas:** Mullaitivu, Kilinochchi, Vavuniya, and Mannar.

### **Proposed intervention**

When children are displaced and traumatised by armed conflict, education is a key means of bringing stability and security back into their lives. Education helps re-establish a normal routine within communities threatened by violence and war. Education can also provide a way to reach children with information on health, landmine awareness, gender sensitivity and life skills. In supporting the Government, UNICEF will focus on the rights of returning IDPs and the existing population in their home communities where access to schooling is difficult or impossible. Education will be expanded to nonformal education to include the needs of out-of-school children as well as to enhance recreational and social aspects. The initial 6-12 month interventions aim to assist the provincial education ministry to find sustainable solutions to both quality and access to basic education in the long-term. The interventions will be closely coordinated with school sanitation activities described in Section 6.6.

Key activities will include:

- Provision of emergency education kits and uniform materials to children in schools and pre-schools to continue education. The kits will be provided for all disadvantaged school-aged children including the estimated 150,000 IDP children predicted to return in the next 12 months
- Support the 'Every Child Back to School' national programme, catch-up education programmes for school dropouts and readmission of dropouts. This includes training and mobilisation of community officials to assist the reintegration of children back to school;
- Establishment of protection committees in schools and to ensure inclusive education;
- Establishment of attendance committees to reduce drop-outs and absenteeism;
- Promotion of school based planning and implementation of quality improvement programmes, including physical and human development elements;
- Rehabilitation of damaged school buildings and recreation areas;
- Provision of essential school equipment and furniture;
- Provision of in-service training of formal and volunteer teachers on issues such as child-friendly education, gender-specific strategies and violence and life skills, in coordination with the World Bank, including the implementation of education reforms;
- In coordination with WFP, provide children attending pre-school and catch-up classes with nutritional support." (Government of Sri Lanka & UN 23 August 2002, pp. 22-23)

### **Shortage of 9,600 teachers in the north-east (July 2002)**

- In some areas there are less than 5% of the teaching staff needed
- Over 74 schools in the north-east are occupied by the security forces and of these only 11 have been handed back to the school authorities up to 10 June 2002. A further 160 schools, including 130 primary schools are unable to function because they are near military installations or lie within security zones.

"According to School Education minister Suranimala Rajapakse, there is a shortage of 9,600 teachers in the north-east. In some areas there are less than 5% of the teaching staff needed. Ceylon Tamil Teachers Association's (CTTA) Mahasivam says 1,200 teachers are needed in Mullaitivu District alone. A large number of school buildings have been commandeered for military purposes and many have been destroyed in aerial bombardment. The North-East Provincial Council administration has estimated that Rs 143 million (\$1.6 million) is needed to repair schools damaged by the war in the Vanni.

The Army commanders in Jaffna have informed the Ministry of Education that they would not be moving out of 32 schools, which lie within or just outside high security zones. These schools have not been functioning for more than ten years. CTTA says over 74 schools in the north-east are occupied by the security forces and of these only 11 have been handed back to the school authorities up to 10 June 2002. A further 160 schools, including 130 primary schools are unable to function because they are near military installations or lie within security zones. In Jaffna District, 50 schools are unable to function, 36 of which are occupied by the Army. Twenty two of these schools are within military high security zones. In Batticaloa District, the Army is occupying four schools for the past 12 years. Six schools are within the perimeter of Army camps and 29 others lie within 400 metres of military bases." (BRC July 2002, pp. 14-15)

### **Education security in resettlement villages in the Vanni (October 2000)**

- The household survey showed that percent attendance for settlement (IDP) children is barely half of that for the other communities measured. Poor economic conditions of households lead them to keep children out of school, even though school fees are very low.

"As mentioned earlier, the only educational facilities in the settlement are two pre-schools. There is a primary school (for Grades 1-8) in the adjoining village Kalvilan 1.5 km away. Although all children are permitted to attend this primary school, only 65% of school-aged children from Sivapuram and Kalvilan combined are currently enrolled. Enrollment of girls and boys is equitable. The majority of absentees were reported to be from the settlement. The household survey showed that percent attendance for settlement children is barely half of that for the other communities measured. Poor economic conditions of households lead them to keep children out of school, even though school fees are very low. Secondary schools and universities do not exist in the vicinity of Sivapuram and few children from such settlement communities receive higher education. Fairly high literacy rates are typical in the zone. The household survey stated that about 50% of household heads are literate.

The conditions at the primary school (not visited by the survey team) may limit in some way the quality of education provided there. The schools were said not have adequate permanent buildings and those that exist have not been maintained for more than 20 years. The roofs of the temporary buildings put up by INGOs need re thatching before the rainy seasons starts in October. The school is only up to grade 8 and students must travel nearly 12 kms to follow higher studies. The teaching cadre is not filled. The school is managed with volunteer teachers, who have little teaching experience. This, unfortunately describes the situation not only in Sivapuram but also in communities throughout the Wanni. The Department of Education is the source of educational facilities and materials. Textbooks and uniforms are also provided by the

Government but often reach the recipients late due to logistic difficulties. This situation is been rectified, at least temporarily, by INGOs, which provide temporary structures, furniture, school bags, etc." (CARE October 2000)

### **Education security in fishing communities in the Vanni (October 2000)**

- The literacy level of these villages was estimated at about 80% for IDPs but only 50% for the local population.
- Attendance of students from IDP families in Ampalavanpokkanai and Valaippadu villages is low in comparison to the local population due to poverty and insecurity.
- In Kattalampiddy, the IDPs' attendance is about twice as much as locals because IDPs are generally from affluent families.
- The principals of schools stated that the teaching resources on hand do not meet national standards. All schools have an insufficient number of permanent staff.

"The literacy level of these villages was estimated at about 80% for IDPs but only 50% for the local population. Pre-schools and primary schools are available in the villages of Valaippadu and Ampalavanpokkanai. The children of Kattalampiddy go to a nearby primary school in Kalliyady, 1km away. Classes are available up to year 6 in Kalliyady, up to year 9 in Valaippadu, and up to year 13 in Ampalavanpokkanai.

The average number of years of schooling per student was estimated at seven years in Valaippadu and Ampalavanpokkanai and four years in Kattalampiddy. The average attendance in Kattalampiddy is 98%, while it is only 50% in Ampalavanpokkanai and Valaippadu. The reason given for poor attendance in Ampalavanpokkanai and Valaippadu schools was fear due to shelling and aerial attacks by the SLA. Attendance of students from IDP families in Ampalavanpokkanai and Valaippadu villages is low in comparison to the local population due to poverty and insecurity. In Kattalampiddy, the IDPs' attendance is about twice as much as locals because IDPs are generally from affluent families. The male and female proportions in schools are equal.

In general, the school facilities in these three villages are inadequate and the space available cannot accommodate the number of students enrolled. The school in Valaippadu consists of one permanent building and one temporary shed. In Ampalavanpokkanai there are three permanent school buildings and three temporary sheds. The temporary sheds were burned recently in an aerial attack. The Kattalampiddy school has only one permanent building. The temporary building and permanent buildings in all these schools were in poor physical condition and need maintenance. The secondary school in Ampalavanpokkanai has a laboratory for year 12 - 14 students but it lacks equipment and materials. Furnishings in these schools are also inadequate and in need of repair. Latrines/urinals are far too few to cope with enrollment. There are no government funds provided for repairs. INGOs have been helping to rectify this to some extent. Uniforms and textbooks are supplied by the government but are sometimes delayed due to logistic difficulties.

The principals of schools stated that the teaching resources on hand do not meet national standards. All schools have an insufficient number of permanent staff. Most teachers are volunteers, paid either by NGOs or school development societies. The allowance paid for these volunteers ranges from Rs.500 to Rs.700 per month. As in others schools in the Wanni, the volunteer teachers are more dedicated to their work, expecting that they may someday get a permanent appointment by the Department of Education. Average number of years of teaching experience is seven for permanent teachers and two for the volunteers." (CARE October 2000, pp. 29-30)

### **Education security in high potential agricultural communities in the Vanni (October 2000)**

- Access to school is universal but attendance is sometimes low due to economic constraints. Locals and IDPs have approximately the same rates of school attendance. Girls and boys attend school in equal numbers.
- In general, school facilities in the Vanni are inadequate both in capacity and quality.
- Due to the shortage of certified teachers, education standards are thought to be below acceptable levels, although no evidence was presented to demonstrate this.

"The literacy level of these four villages was said to range from 60 to 80% (compared to a national average of 90%). Pre-schools and primary schools are available in all four villages and the average school attendance in the four villages for these lower grades was reported at around 90%, a figure corroborated during the household survey. Classes are available from years one through six in all villages except in Pulliyampokkanai where classes are available for years one through 11. Average number of years of schooling for students is five years in all villages except Pulliyampokkanai where nine years is the norm. Access to school is universal but attendance is sometimes low due to economic constraints. Locals and IDPs have approximately the same rates of school attendance. Girls and boys attend school in equal numbers.

In general, school facilities in the Vanni are inadequate both in capacity and quality. These four villages were no exception. There are very few permanent school buildings; most classes are held in temporary structures. Even with the use of temporary buildings there is not enough space for all the students resulting in classes at times being held under trees. All buildings, both temporary and permanent, were observed to need repairs and maintenance.

Furniture in most of these schools is inadequate in numbers and what is available is in poor condition. Latrines/urinals are not sufficient for the student population. Teaching materials in most schools are either inadequate or not provided at all. Libraries or reference sections not available in any of these schools. While the government supplies textbooks and uniforms, there are frequent delays in delivery due to logistic difficulties. The Department of Education is unable to provide all facilities required but this has been rectified to a great extent by INGOs who provide temporary buildings, furniture and school bags.

Schools in the four villages sampled, like most schools in Vanni, are seriously understaffed according to standards approved by the Department of Education. The majority of teachers employed are uncertified volunteers. These volunteers receive no compensation from the Department of Education. They are often paid an allowance of Rs. 500 to Rs.700 per month by local NGOs. Some don't even receive this small amount. However, the volunteer teachers are said to be more dedicated as they hope to eventually receive permanent employment in the Department of Education. The average teaching experience of permanent teachers are eight years as compared to three years in the case of volunteer teachers. Due to the shortage of certified teachers, education standards are thought to be below acceptable levels, although no evidence was presented to demonstrate this." (CARE October 2000, p. 23)

### **Education security in low potential agricultural communities in the Vanni (October 2000)**

- There is higher level of absenteeism among children of the IDP communities in Vellankulam, Koolamurippu and Pallavarayankaddu. In Vallipunam however, the school attendance rate is reasonably high among children of IDP families compared to that of the local resident community. In Vallipunam, IDP students outnumber local students by 3:1, whereas in the other three villages the ratio is 8:1 in favor of local children.

- A majority of the school buildings are temporary sheds constructed with the help of INGOs.

"Key informants estimated adult literacy in Vellankulam and Pallavarayankaddu villages at more than 70%. In Koolamurippu and Vallipunam, however, it was estimated at less than 40%. One key reason for low literacy levels in Vallipunam is that most residents of this village came from up-country estates where the literacy rates are very low due mainly to the inadequate educational facilities locally. No information was obtained to explain the low literacy rates in Koolamurippu. (In contradiction to these figures, the household survey revealed that 90% of the heads of households interviewed are illiterate.)

The school attendance rate was said to vary from 70% to 90% (the household survey estimated this at 93%). The reasons given for fluctuating attendance include: not being able to have a morning meal, no money to sew uniforms (uniform cloth is provided free by the Department of Education), low household income and the need to look after younger siblings. The overall average number of years of schooling is approximately seven. The number of schooling years is limited by the non-availability of classes above a certain grade. Students have to travel a minimum of 6km to attend secondary school. Often parents stop the schooling of children after primary school in order that they help with daily chores and in some cases help earn family income. About 50 % of the student go to secondary schools in Pallavarayankaddu and Vellankulam. Parents who can afford the transport and other expenses send their children to secondary schools. There are also students who are interested in higher studies but unable to continue due to inadequate economic resources. However, some parents find ways and means by borrowing from others to send their children to school. In Koolamurippu and Vallipunam, about 80 % go to secondary schools, as school facilities are available in the villages themselves. This may point to distance as the most critical factor in poor secondary school attendance.

There is higher level of absenteeism among children of the IDP communities in Vellankulam, Koolamurippu and Pallavarayankaddu. In Vallipunam however, the school attendance rate is reasonably high among children of IDP families compared to that of the local resident community. In Vallipunam, IDP students outnumber local students by 3:1, whereas in the other three villages the ratio is 8:1 in favor of local children.

Although pre-schools and primary schools are universally available, facilities are limited in all respects. Only a few permanent buildings exist at the schools and most classes are held in temporary facilities. In Pallavarayankaddu, classes are conducted in a settlement scheme called Vinayar in a temporary building due to war damage to the main school building. Classes are from year 1 to 5. In Koolamurippu classes are available from year 1 to 11 and in Vellankulam classes are conducted from year 1 to 8, with a provision to conduct classes up to year 9 in 2001. In Vallipunam, classes are offered for years 1 to 11.

A majority of the school buildings are temporary sheds constructed with the help of INGOs. There has been no recent investment by the Department of Education to improve the infrastructure of the schools. Even with the addition of semi-permanent structures, there is inadequate space in the classrooms for all the children. Often, classes are held under trees. Availability of latrines in these schools is also minimal and no drinking water is available. Water needs to be collected from nearby private or public wells, although these are on average only 150 meters away. Furniture too is in short supply. The INGOs have helped supply some of the requirements. However, it is not sufficient to meet the needs. There is also a serious shortage of teaching material available to the schools.

There are on average only two or three permanent qualified teachers in each school. The balance is made up by volunteer teachers. Very often the vacancies cannot be filled even with the assistance of volunteers. The teaching experience of permanent teachers vary from 7-8 years, where as the volunteers have approximately 2 years experience. The Government of Sri Lanka pays the permanent staff while local NGOs and School Development Societies pay a minor sum to volunteer teachers. Some volunteers receive no payment. They remain motivated in the expectation that the experience they gain teaching will help them to secure employment in government schools. There is no administrative staff in any of the schools.

Textbooks and uniforms, supplied by the Department of Education, regularly reach the students late due to logistic difficulties." (CARE October 2000, pp.14-15)

## **Barriers to school attendance for internally displaced children**

### **High percentage of IDP children do not have access to education (October 2001)**

- 30-40% of children in conflict-affected areas do not attend school.
- Among the reasons for low school attendance: poverty, multiple displacement, lack of schools and teachers, lack of birth certificates and bureaucratic obstructions.
- Poverty is the main reason for low school attendance.
- UNICEF estimates that the school dropout rate in the Vanni is as high as 40-50%, as against the national average of 10%.
- Embargo on "war-related" items and lack of teachers hamper school attendance in the Vanni.

"Non attendance to school is a pressing and major problem for children IDPs. Some 30-40% of the children in conflict-affected areas are not attending schools or not attending regularly. In No 7 Lovelane WC in Trincomalee, 85.6% of children do not go to school.

This may be due to the following reasons:

Poverty

Multiple displacement

Lack of schools and teachers

Lack of birth certificates

Bureaucratic obstructions

### **Islandwide**

#### *Poverty*

Poverty is a main reason for the high rate of absenteeism and non-attendance of children IDPs. Most children in uncleared and resettlement areas of Trincomalee do not attend school due to poverty.

Sending children to school adds an extra financial burden to parents, who have to pay for exercise books, transport and other expenses. While the government provides uniforms and textbooks free of charge, a number of schools ask for a 'donation' or entrance fee, or for parents to contribute towards a desk and chair.

Children also help supplement family income, by collecting firewood for example. In the absence of day care facilities in Welfare Centres and elsewhere, the eldest child is given the task of looking after the younger siblings while both parents go to work.

#### *Multiple displacement*

Large numbers of children, who through frequent displacement have faced disruption in schooling, do not fit into the class of their corresponding age. Their needs are not addressed.

#### *Lack of schools and teachers*

Many IDP children do not attend school as there are none in their vicinity.

Areas hosting large IDP communities, such as Puttalam or Vavuniya, do not have the infrastructure to integrate all the displaced children of school age. Schools, classes, furniture and teachers are lacking. There are reports that in such cases, only those children whose parents can afford a fee are registered in local schools.

In WCs, there are minimal pre-school facilities. In Vavuniya, access to school is difficult because of the distance and difficulty of obtaining passes for movement. Girls are not attending classes when they have to travel some distance to school due to their parents fear for their safety. This is particularly true of Muslim girls whose education is often stopped short due to travel.

The military also occupies schools, in particular in Jaffna. In Morawewa, Polonnaruwa, the school is occupied by the forces and the children in the area have no school to go to. Military operations often interfere with exams and schools are often converted into temporary shelters for the displaced, closing them for months at a time.

There is also a serious shortage of teachers islandwide. In many cases teaching is done by IDP volunteers. In Mannar District, 471 posts are currently vacant in 105 schools. There is an urgent need for 'A' level Science and Mathematics teachers. In Batticaloa District there is a reported shortage of 208 teachers.

#### *Lack of birth certificates*

School admissions, even for primary school, are carefully regulated through residency requirements and requirements for documentation. Only 47.5% of 1,250 school aged children interviewed in Jaffna in 1998 had their birth certificates, and almost all those without them had lost them during displacement. Obtaining a replacement birth certificate is notoriously difficult: it requires information that most displaced children do not have, including the original birth registration number and date of registration. As of November 2000, 13.9% of children were prevented from attending school in the Allas Garden Welfare Centre, Trincomalee, for lack of birth certificates.

The situation is particularly bad for the children of Sri Lankans repatriated from India between 1987 and 1995. Many are effectively stateless, refused citizenship because their parents have no proof of their birth.

#### *Bureaucratic obstructions*

While officially government schools provide free education, displaced children are often expected to make monetary donations. In some cases, they may be excluded from education for being unable to pay and not possessing the required documentation like the birth certification. Obstacles in many cases appear to be caused by local interpretations of government guidance or by local decisions on school entrance requirements.

#### **Uncleared areas**

UNICEF estimates that the school dropout rate in the Vanni is as high as 40-50%, as against the national average of 10%. Displaced children who have missed varying periods of schooling and who return to class create special problems for teachers with no training in multi-grade teaching and children tend to drop out eventually.

Many schools have no furniture. Metal furniture is not allowed in the Vanni. A large number of schools are damaged. Science teaching is impossible because of restrictions on equipment and chemicals. Banned or restricted items include exercise books, laboratory and office equipment, maps, paper, ink books, calculators, copiers and computers. The Army has denied permission to send computers to the Vanni. Restrictions on fuel also mean that students cannot study at night. Children forgo meals to save up for books and other material. Those in the uncleared areas may also not receive the free textbooks and uniforms they are entitled to.

The number of teachers in the uncleared areas of the Vanni is inadequate. There are only 1,800 teachers instead of the 3350 needed. Some 600 volunteer teachers are demanding permanent appointment. In Kilinochchi District, 60 of the 71 schools are functioning in temporary shelters." (CPA October 2001, pp. 50-52)

### **School attendance hindered by various factors (November 2000)**

- School fees or uniforms are used as excuses to exclude IDP children from school.
- Access to school undermined by indiscriminate attacks on civilians, forced recruitment of children, shortage of teachers, malnutrition, poverty and loss of birth certificates.
- Non-attendance around 30% in some schools in the Vanni
- In the beginning of December, arrangements were made in the Vanni for internally displaced students to sit their GCE "O" level examination
- Lack of documentation restricts school enrolment of displaced children

"Lack of teachers in some areas, lack of transport, especially in remote areas and the un-cleared areas of the Vanni, lack of birth certificates - 13,9% of children in Alas Garden Welfare Centre, Trincomalee are prevented from attending school - and general poverty are factors which seriously hinder school attendance. While officially displaced school children are wavered from the obligation to pay a school fee or wear uniforms, in practice lack of it has in some cases been a ground for exclusion of education.

Another serious problem constitutes forced recruitment of child soldiers in areas under LTTE control where access to education is made conditional to participation in or completion of military training.

UNHCR facilitated transport of examination papers and stationary provided by the government for students in the Vanni (uncleared) between Mid-July and Mid-August 2000." (UNHCR November 2000, p. 9)

"UNICEF reports that literacy levels, which were higher than 80 percent in the North and East, have fallen due to the deterioration of educational facilities. Schools in host communities which displaced children attend have their limited material and human resources stretched. There is high levels of school absenteeism, sometimes due to malnutrition in some districts or the use of schools to accommodate the IDPs. Many schools have been damaged and some schools have been altogether displaced. Other problems include the lack of adequate teaching and learning materials, the shortage of educational personnel, the high cost of school uniforms and transport to school. Displaced children who have missed varying period of schooling and who return to class make it difficult for teachers with no training in multi-grade teaching to teach. There is poor access to higher-education in the conflict areas.

Education for children is a primary concern of the displaced persons and often determines the final outcome in terms of place of residence. Because of the recurring nature of displacement for many families in the conflict-affected areas, education has been irregular. When educational facilities are available, they are often overcrowded and inadequate for even basic educational activities." (OCHA 6 July 2000, p. 107)

"[...]after several weeks of suspension due to the fightings [...] many public institutions also began to return to normal, and all arrangements were made for students to sit their GCE "O" Level examination. The Department of Examinations sent some exam papers to the Vanni by boat, due to transport difficulties. Displaced students were also granted permission to sit the exams from their temporary residences." (INFORM December 1999)

"School admissions, even for primary school, are carefully regulated in Sri Lanka through residency requirements and requirements for documentation. Many internally displaced children, especially those

who endured multiple displacements or those who had to flee quickly without important papers, subsequently faced barriers to school enrolment, either during displacement or upon return to their homes. [...]" (UNICEF 1998, p. 10)

"Despite [...] noteworthy efforts by the [Sri Lankan Government], international and local organizations, and displaced communities themselves, it is clear that many displaced children are not [attending] school because of correctable administrative and uniform issues. Obstacles to school attendance, in many cases, appear to be caused by local interpretations of government guidance or by local decisions on school entrance requirements. [...]" (UNICEF 1998, p. 16)

*For measures taken by the Ministry of Education to expand educational opportunities for internally displaced children, see "[Ministry of Education expanding educational opportunities for displaced children \(1998\)](#)" [Internal link]*

## ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

### Self-reliance

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#### **Need for employment creation opportunities for the returning IDPs (August 2002)**

- The majority of IDPs will be returning to defunct local economies, with no savings or capital assets to invest, and no jobs to secure their livelihoods.
- There is an immediate and increasing demand, not only for food support, but also employment creation opportunities for the returning IDPs and other vulnerable groups in returnee communities.

"-The conflict has seriously destabilised families and whole communities. An estimated 800,000 people have had to leave their homes and seek refuge elsewhere in the country or overseas. Most are unemployed or under-employed, and many have had to rely on government support.

-Substantial damage has been inflicted on community assets as well as private property. In addition there have been years of neglect in the proper maintenance of the affected infrastructure.

-Many returning IDPs have been uprooted for a number of years. Some have had to move more than once, and others have lived in welfare centres. The majority will be returning to defunct local economies, with no savings or capital assets to invest, and no jobs to secure their livelihoods.

-This new situation has created an immediate and increasing demand, not only for food support, but also employment creation opportunities for the returning IDPs and other vulnerable groups in returnee communities.

-The lead-time needed to initiate large-scale rehabilitation opportunities may preclude immediate support and yet gainful employment is fundamental to a lasting peace. A major programme of minor works using the FFA approach at community level is therefore proposed as an immediate short-term measure. Rapid start-up emergency employment is also recognised as a priority aspect of the UN assistance programme, provided that essential mine clearing has been completed.

-WFP already has a FFW programme and is now seeking ILO technical support to improve the impact of these programmes, through a FFA scheme. FFA differs from FFW in that it involves a different 'menu' of works in infrastructure rehabilitation and maintenance – essentially labour-only works, which require minimal preparatory assistance and work can be designed 'on the job'. FFW involves a 'menu' of work where there should be a mix of labour, materials and equipment, with food representing 50% of the payment and where preparatory assistance inputs are essential." (Government of Sri Lanka & UN 23 August 2002, p. 18)

#### **Agriculture and fisheries need to be supported for IDPs to regain a livelihood (August 2002)**

- In Vavuniya, Mullaitivu and Kilinochchi, approximately 70% are farmers, while in Jaffna 45% are farmers and in Trincomalee and Mannar, approximately 55% are farmers. Up to 25% of returnees are landless farm labourers in Kilinochchi and Mullaitivu.

- Agriculture is by far the most important economic activity in the districts to be targeted.
- IDP families returning to their former homes will need a basic kit of technically correct agricultural inputs, including seed, fertiliser, herbicide and tools.

"Over 100,000 people have already returned to their former lands in the northern provinces of Sri Lanka. In Vavuniya, Mullaitivu and Kilinochchi, approximately 70% are farmers, while in Jaffna 45% are farmers and in Trincomalee and Mannar, approximately 55% are farmers. Up to 25% of returnees are landless farm labourers in Kilinochchi and Mullaitivu.

-Agriculture is by far the most important economic activity in the districts to be targeted. Having lain fallow in some places for ten years, or more, the land needs to be cleared of shrubs and grass prior to replanting. To accomplish this land clearing and preparation quickly, and to obtain a good first crop, IDP families returning to their former homes will need a basic kit of technically correct agricultural inputs, including seed, fertiliser, herbicide and tools. Seedlings of improved fruit trees including coconut, mango, jack fruit, guava, banana, lime, and papaya will also be needed to reestablish former homestead plantations.

-It is essential for the success of this and future return programmes, that the voluntary returnees are given sufficient and appropriate support to enable them to resume their former livelihood in farming. The success of the IDP return will also take some stress off communities in other parts of the country and thus assist with peace building." (Government of Sri Lanka & UN 23 August 2002, p. 16)

### **Few opportunities for self-reliance (October 2001)**

- Few opportunities for income generating activities.
- IDPs are thus dependent on food rations.
- All family member's contributions are needed to generate enough income to survive.
- Government fails short of providing employment opportunities before relocating IDPs

"Many IDPs are unemployed or engaged in irregular and unreliable casual labour. There are few opportunities for income generating activities and those do not always correspond to the main trades and skills of IDPs, such as agriculture, fishing, animal husbandry, carpentry, masonry and allied trades. They are thus chronically dependent on food rations. There is also reported tensions between IDPs and host communities. In Anuradhapura, for instance, IDPs complain that local landowners will not rent agricultural land to them. Most IDPs have to rely on casual (seasonal) labour, pawning of valuables, remittances from abroad and limited micro projects and revolving loan schemes. All family members, including children participate in income generating activities when available, though the lack of day care facilities has made it particularly difficult for female heads of households to go to work.

Lack of infrastructure, military operations, landmines, restrictions on movement and the embargo have paralysed economic activity in most war affected areas. No compensation is paid for loss of employment due to war such as agriculture and fisheries. The government does not ensure the presence of adequate infrastructure and employment opportunities before relocating IDPs." (CPA October 2001, p. 45)

### **Lack of opportunities for self-reliance in uncleared areas (October 2001)**

- Economic activities for the displaced in the uncleared areas (Vanni) is limited for several reasons including lack of infrastructure, lack of employment opportunities, the embargo on "war-related" items, the restrictions movement of persons and goods and the corruption.

- No training centres for displaced persons has been set up by the Social Services Department in the in the Jaffna peninsula, while it has done so in the south.
- Landmines, restrictions on mobility, military occupation and the imposition of a curfew have additionally curbed people's access to land in Jaffna.
- Fishing restrictions have had serious implications on the ability of resettled families and the displaced to pursue economic activity in Mannar.
- The displaced living in the transit camp or welfare centres in Vavuniya find it extremely hard to find employment. On average they can obtain casual labour between 5 and 15 days a month.
- Border areas lack the basic infrastructure to cope with the larger number of IDPs. The eastern districts are also economically isolated from the rest of the country. All resident populations are economically affected.
- 18.2% of the residents in Trincomalee WCs are unemployed.
- Northern Muslims are facing difficulties obtaining work as they have to compete with the local workforce for scarce income generating activities, such as fishing, casual labour, etc

"Economic activity is very seriously limited in the uncleared areas of the Vanni due to the following reasons:

#### *Lack of infrastructure*

The telecommunication system in the Vanni was disconnected in 1986. Electricity was cut off in 1990. There is no running water nor public transport and the roads are in very bad condition.

#### *Lack of employment opportunities*

The population in the uncleared areas of the Vanni has increased dramatically following the influx of refugees from Jaffna in the 1990s. According to official figures, 55% of the Vanni population consists of people displaced from other districts. Consequently, employment opportunities are low. In Madhu ORCs 56.6% of families have no income, while 34.2% of families have an income below Rs1500. Furthermore, landmines and UXOs affect exploitation of the land of returnees.

#### *The embargo and its impact on farming and other activities*

The embargo on fuel, medicine, fertilisers, fishing equipment, construction materials, batteries, etc. has made it difficult for the population of the uncleared to carry out their traditional activities. Farming is severely affected by restrictions on fuel and fertilisers. Between May and December 2000 Kilinochchi District received 1/4 of the kerosene needed (520 barrels) and 1,100 tonnes of fertilisers instead of the 4,200 tonnes needed. At present, the number of barrels of kerosene oil allocated by the Army for transport to the uncleared is 1,783 a mere 40% of the estimated requirement for agricultural and domestic use.

#### *Restrictions on movement of people and goods.*

There is no legal trade between the cleared and uncleared areas. People cross to the cleared areas, especially Vavuniya, to purchase and trade goods, exposing themselves to security risks. Reports say prices in the Vanni are five to ten times higher than in southern areas of Sri Lanka, with an acute shortage of children's milk food. From May 2001, arrangements were to be made to transport agricultural produce from the uncleared areas of the Vanni to Vavuniya in 50 trucks a week on convoy days, which are Mondays, Wednesdays, Thursdays and Saturdays.

#### *Corruption and malpractices*

Corruption is rampant in Vavuniya and the Vanni. Paramilitary groups such as PLOTE and TELO impose a tax on the lorries going into the uncleared areas of the Vanni to the tune of Rs 1,000 to Rs 3,000. The lorry drivers in turn charge the MPCS so that the goods sold to consumers in the Vanni are over priced.

### **Jaffna**

There are more than 2000 displaced people in the Jaffna peninsula who have not been given any kind of training and are unable to work. It is noteworthy that while the Social Services Department has established training centres in the south, it has not done so in the peninsula.

While the lack of irrigation facilities has restricted the use of cultivated land in the area, landmines, restrictions on mobility, military occupation and the imposition of a curfew have additionally curbed people's access to land. Marketing agricultural produce from Jaffna is difficult since Colombo is the main market and there is very restricted access between Jaffna and Colombo.

Other than government supplies, the MOD has to sanction all purchases and transport of commodities to Jaffna. Aside from the MPCPS, other supplies are controlled by a few affluent businessmen who hold a monopoly. There is a disparity in the prices of goods even at the government outlets. Supplies are controlled by businessmen who create unwarranted artificial shortages to justify price hikes. In 1999, the Department of Agrarian Services failed to supply the essential agricultural inputs in time. As a result, private traders capitalized on the situation, fertilisers being sold at Rs 2,000 a bag.

### **Mannar**

Fishing restrictions have had serious implications on the ability of resettled families and the displaced to pursue economic activity in Mannar. Arrangements have been made to allow fishing up to 2kms during day time but this is insufficient. The Out Board Motors of the fishermen are being kept at the nearest Police Post when the fishermen return to the shore so that maintenance of those motors is not possible.

Refugee fishermen in Pesalai refugee camp told the Bishop of Mannar that they were being harassed by the Navy and requested the Bishop's intervention to secure monthly permits for fishing instead of the current weekly permits.

### **Vavuniya**

There are very few opportunities for work in Vavuniya, except for some casual labour and farming for which the displaced have to compete daily. The displaced living in the transit camp or welfare centres in Vavuniya find it extremely hard to find employment. On average they can obtain casual labour between 5 and 15 days a month. As a result they cannot earn extra money to purchase extra food items to complement the rations they receive. Many are totally dependent on the relief aid they receive from the government and the humanitarian organisations.

Trade into Vavuniya is controlled by paramilitary organisations such as PLOTE and TELO. TELO reportedly controls the cocounut, vegetable, oil and cement trade. Shop owners or small traders buy such products at an inflated price from wholesalers affiliated to those militias and increase their own prices accordingly, thus punishing the consumer.

### **Border areas**

Border areas lack the basic infrastructure to cope with the larger number of IDPs. The eastern districts are also economically isolated from the rest of the country. All resident populations are economically affected. Families in threatened villages live in constant fear of attack and often spend the night in the jungles. Some 'day and night' IDPs have been able to protect their property and assets and to some degree been able to attend to their fields and secure a small income. Their day-time activities however are minimal due to risks of attack. Farming and economic activity for many has been abandoned. The enhanced insecurity that results from LTTE activity and government countermeasures in turn hampers the movement of people and goods.

### **Trincomalee**

Most of the resettled/relocated were previously engaged in agriculture or fisheries and allied services. They are unable to revive their old profession as their paddy fields are in the uncleared areas and most have lost their fishing equipment or are unable to use it due to restrictions.

The government's productive enterprise grant of Rs 4,000 was not adequate for the revival of any sort of employment. 18.2% of the residents in Trincomalee WCs are unemployed.

### **Batticaloa**

The pursuit of economic activity has been hampered by the demands of the Security Forces. Persons travelling in their own vehicles are forced to provide transport in any vacant seat. Push bikes are commandeered by security people for short errands. People are also subjected to forced labour. According to reports, should any need arise for a field or roadside to be cleared for 'security reasons' members of the local security camps simply stop those moving on the road or go into the nearest homes and force those found to come with tools to do the work.

Farmers cultivating on the mainland across the lagoon, face restrictions when transporting agricultural produce and fuel for tractors. There have been restrictions on the transport of harvested goods such as paddy. Permits need to be obtained to transport a maximum of 30 bags of paddy on a single tractor.

### **Puttalam**

Northern Muslims are facing difficulties obtaining work as they have to compete with the local workforce for scarce income generating activities, such as fishing, casual labour, etc. This further creates tension between IDPs and the host community as IDPs often offer their labour at cheaper rates than the local workforce. Displaced fishermen in Kalpitiya can only fish in the lagoon, as they have been excluded from membership of the Fishing Society." (CPA October 2001, pp. 45-48)

## **IDPs economic activities center around small-scale trade and subsistence agriculture (November 2000)**

"Economic activities in both the cleared and un-cleared areas centre on small-scale trade, subsistence agriculture and limited coastal/lagoon fishing. Outside the seasonal demand of agricultural and fishing cycles, there is a huge pool of casual labour.

### **Coping mechanisms**

IDPs receive government dry rations (criteria monthly income < Rs. 1,500)  
Casual (seasonal) labour (farming, odd jobs etc.)

Pawning of valuables

Remittances from abroad

All able families, including children participate in labour activities (e.g. farming), when possible

Bread winner commutes between farmland and welfare centre

Trade of goods (purchase in cleared are e.g. Vavuniya town and marketing in un-cleared)

(Limited) Participation in micro projects or revolving loan schemes (small scale gardening, small scale business, animal husbandry, agriculture, fishing) and revolving loan funds offered by international organisations or NGOs." (UNHCR November 2000, p. 8)

### **IDP influx has saturated wage-labor market in low potential agricultural communities in the Vanni (October 2000)**

- Those households depending on wage labor for their livelihood are also at risk. Significant labor opportunities are mostly available during the months of October to March during the cultivation season. In addition, the influx of IDPs and increasing need by poor farmers to augment their income through wage labor has begun to saturate the market.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Vanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "low potential agricultural communities". The villages are the following: Koolamurippu, Vallipunam, Vellankulam and Pallavarayankaddu.*

"In times of peace, farmers are able to produce good yields and sell the product at a good price. In recent times, however, returns from farm production have been decreasing. In addition to the production constraints caused by the shortage of inputs due to the embargo, proper markets for their produce are no longer accessible. Before the conflict most of the paddy produced was sold in Jaffna; Vanni farmers did not have any marketing problems. They also got a better price than any other part of the island since they produced higher valued red rice. There was a big demand for red rice in Jaffna. This situation has changed, leaving farmers with less return for the sale of surplus production. In the south, the Government has fixed a guaranteed price for paddy and co-operatives buy paddy at this guaranteed price. Although the local authorities in the Vanni have fixed a minimum price of Rs.750/- for a 70-Kg bag of Paddy there is no one purchasing paddy at this price. Therefore farmers are forced to sell to middlemen at around Rs.500/- per 70kg bag.

Those households depending on wage labor for their livelihood are also at risk. Significant labor opportunities are mostly available during the months of October to March during the cultivation season. In addition, the influx of IDPs and increasing need by poor farmers to augment their income through wage labor has begun to saturate the market. Rising cost-of-living, when compared with stagnant or decreasing wages, is putting vulnerable households in particularly difficult situations." (CARE October 2000, p. 16)

### **Self-reliance dependent on the type and duration of displacement (May 2000)**

- IDPs who experience daily displacement (in the "grey areas") are often able to protect their property and secure some income.
- IDPs who have settled in welfare camps receive some assistance but find it difficult to find a job due to their limited mobility.
- IDPs who have managed to settle with family or host population have more opportunities to access land and employments.

"Our observations so far demonstrate that the experiences of displacement are many and diverse, partly reflecting the local dynamics of conflict. One variable here is the **duration of displacement**:

1) Some IDPs have moved in and out of their communities on a daily basis, reflecting the shifting security situation at day and night (e.g. in "grey" areas where the government is in control at day-time, but where LTTE is present at night). In such cases, the IDPs have been able to protect their property and assets, and also often been able to attend to their fields and secure at least a small income. While looting may have taken place, there has generally not been a massive destruction of infrastructure and productive means.

2) In other areas, where the armed conflict has been more intense, the IDPs have been forced to leave for a longer period and often they have settled in welfare camps, where some protection and assistance has been

provided. However, in most cases all property has been lost or destroyed, and social networks and institutions also more seriously affected. In addition, the IDPs in the camps have not always had the opportunity to engage in productive work due to restrictions on their mobility.

3) In some areas, however, the IDPs have been able to escape the camps and get access to land and employment locally, and may eventually have integrated in a the host community as for instance in Puttalam.

4) A fourth type of IDPs consists of those who have settled with relatives elsewhere in the country. In most cases they have not received any assistance except from dry rations, as they are perceived to be self-reliant." (DRC May 2000, pp. 18-19)

## Public participation

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### Few IDPs are able to participate in public affairs (October 2001)

- Vavuniya WC residents are not allowed to associate.
- IDPs in the uncleared areas of the North are not able to vote, while those living in the 'grey areas' face logistical problems.
- Even in the cleared areas, IDPs have reportedly been excluded from electoral lists on the motive that they lack birth certificates or turned 18 after being displaced.
- The 1988 Amendment to the Parliamentary Elections Act 15 of 1988, which permits displaced persons to vote has proven inadequate.

"There is a lack of community involvement in the management and running of Welfare Centres islandwide. In Vavuniya, the Government Agent does not allow residents to associate. Gatherings are prohibited. Due to the ban on gatherings, a woman was not allowed to provide after school tuition in Poonthoddam WC. [...]

#### Uncleared areas

Voting was not conducted in the uncleared areas of the North. IDPs, like all residents of those areas, are at present unable to exercise their right to vote. During the October 2000 Parliamentary elections, residents of the 'grey areas,' between the uncleared and cleared areas had to travel long distances to cluster polling stations in the cleared areas. The logistical problems resulted in a number of those eligible not being able to cast their votes.

#### Cleared areas

Many IDPs complain that their names have not been added to the electoral list. Muslim IDPs in the camp of Nelliagama, Anuradhapura, for instance, stated that some of their names had not been included in the electoral list even though they had previously registered. Similarly, in Puttalam, 8,000 northern Muslim IDPs, a majority of whom had turned 18 after displacement, have not been included on electoral lists of either the North Western or North Eastern Province registers.

The 1988 Amendment to the Parliamentary Elections Act 15 of 1988 (see policy below) which permits displaced persons to vote has proven inadequate. For enumeration of newly qualified persons, the Department continues to follow fixed procedures from which they do not deviate. In order to register such voters, the Department demands detailed information of addresses in the District of Origin and proper identification, which most IDPs are unable to furnish.

The non-registration of Northern Muslim IDP voters, currently in Puttalam, was challenged in a Fundamental Rights application to the Supreme Court in May 2000. The Supreme Court did not grant leave to proceed stating that the Registration of Electors Law provided adequate procedures for redress in cases of non registration. The Courts failed to consider that IDPs do not have access to electoral registers of the North and that the Assistant Commissioners of the North have no mandate to look into registration irregularities in Puttalam." (CPA October 2001, pp. 48-49)

### **Voting law inadequate for the purpose of securing the IDPs their right to vote (February 2000)**

- The system of annual registration of voter is too costly and disenfranchises large numbers of eligible voters, particularly IDPs.
- When trying to apply the provisions contained in the Parliamentary Elections Act No. 15 of 1988 in a situation of actual displacement, many practical difficulties arise.
- One glaring inadequacy is that the above provision only applies to those who are already registered. There are many among these displaced persons who have attained the age of 18 subsequent to their displacement. These young persons have not been registered.
- Since that most IDPs have lost their personal identification documents in their frenzied and often chaotic attempts to flee the fighting, they often lack the proper identification documents, a proper address etc.
- The nearly 75,000 Muslims displaced in 1990 and living in Puttalam have faced numerous social and economic deprivations since displacement. One of their main grievances is the deprivation of their right to vote.
- Supreme Court has confirmed that the present law should be used even though the CPA contends it is more of an obstacle for IDPs

"[...] complaints regarding the present form of voter registration are that this form of annual registration is costly to implement, and that it disenfranchises large numbers of eligible voters, particularly displaced persons.

Displaced Voters - With regard to displaced voters, an amendment was introduced with the addition of a new section 127B to the Parliamentary Elections (Amendment) Act No. 15 of 1988.

**127B (1)** *Notwithstanding the provisions of any other Law, any registered elector who reasonably fears that due to conditions prevailing in the area within which his polling station is situated, that he is unable to cast his vote at such polling station, may make an application to the Commissioner of Elections within one week of the notice of nomination, requesting that he may be allowed to cast his vote at another polling station determined by the Commissioner, in his absolute discretion.*

**(2)** *The Commissioner shall within a week of receipt of an application inform such elector whether such application is accepted or rejected. The decision of the Commissioner shall be final and shall not be questioned in any Court of law.*

**(3)** *Where such vote is cast, such vote shall be counted along with the votes of the electoral district where such elector is registered.*

The law as stated above looks fine on paper, however, when trying to apply these provisions in a situation of actual displacement, many practical difficulties arise which have not been foreseen or provided for.

The ethnic conflict in Sri Lanka, which has been continuing in an escalated form since the early 1980's, caused the displacement of thousands of people from the North and East. The above law, which makes provision for displaced persons to vote, has proven to be wholly inadequate for the purpose of securing these displaced persons their right to vote. One glaring inadequacy is that the above provision only applies to those who are already registered. There are many among these displaced persons who have attained the age of 18 subsequent to their displacement. These young persons have not been registered. Also, in order to enumerate newly qualified persons, the Department of Elections follows certain fixed procedures of enumeration from which they do not deviate. In order to register the newly qualified voters, the Department requires correct information of the permanent addresses of their previous household, proper identification, etc. The impracticality of this requirement stems from the fact that most of these displaced persons have lost their personal identification documents in their frenzied and often chaotic attempts to flee the fighting. Therefore, these laws have proved to be of little realistic use.

The grave injustice caused to these internally displaced voters is clearly manifested in the case of the internally displaced Muslims of the north and east. Approximately 75,000 Muslims driven out of their homes in the North by the LTTE in 1990, have taken refuge in Puttalam and other parts of the country. The displaced who travelled to Vavuniya, and from there to Puttalam were prevented from drifting further south, forcing a number of them to set up shelter in Puttalam. These displaced persons have faced numerous social and economic deprivations since displacement. One of their main grievances is the deprivation of their right to vote.

The Centre for Policy Alternatives decided to support the internally displaced Muslims of the north and east to file a Fundamental Rights Application in the Supreme Court. This petition was filed on 11th May 2000, and dealt with the issue of the youth who reached the age of 18 after 1990. The focal point of the said petition was that the petitioners had not been included in the voter list. The Court was asked to declare that there was an imminent infringement of the fundamental rights of the petitioners under Article 12(1) read with 3 and 4 (C) of the Constitution and/or Article 12(2) and/or Article 14(1)(a) of the Constitution. The petition further asked Court to direct the Commissioner of Elections to enter the petitioners' names in the electoral register for the Puttalam District.

However, the Supreme Court did not grant the petitioners leave to proceed. The Court said that the laws relating to registration of electors provided adequate provisions for the public to scrutinise the revised Electoral Registers, and to object to any irregularities in the Register, as well as to ask the Registering Officer to have a person's name entered in the Register.

What the Courts failed to consider was that the internally displaced persons did not have access to the electoral registers of the north, and also that they did not have the documentation which the Elections Department asked for in order to confirm their proper identity. The Courts also failed to take into account the illiteracy and helpless situation of these disadvantaged persons who did not have the necessary knowledge or facilities to adhere to the strict regulations stipulated by the law.

This law has proved to be wholly inadequate to enable displaced persons to secure their right to vote. On the contrary, considering the verdict of the Supreme Court, this law has become more an obstruction. If not for this particular law the internally displaced persons could have sought a direction of Court for a special method of voting, taking into consideration their special status. But this law has prevented the granting of any such direction and the Court simply referred to the existing law and required them to make use of it however impractical and impossible it may be." (CPA February 2000, pp. 13-16)

### **IDPs involved in community life in the high potential agricultural communities in the Vanni (October 2000)**

- There appears to be little friction between IDPs and locals. IDPs are accepted as the locals are aware of the situation under which the displacement occurred. IDPs are fairly secure in these places as the local authorities support their presence.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Wanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "high potential agricultural communities". The villages are the following: Thenniyankulam, Pulliyampokkanai, Thanyootu West and Unionkulam*

"In each of the four villages, it was felt that there was strong unity among people, even when segregation exists. There is said to be universal participation in community activities such as temple festivals, village development activities, tank renovation or anything else that concerns the entire population. People gather and take common decisions and act accordingly. They stated a level of mutual respect.

There appears to be little friction between IDPs and locals. IDPs are accepted as the locals are aware of the situation under which the displacement occurred. IDPs are fairly secure in these places as the local authorities support their presence. They had to come here because of the conflict. If there is peace they will definitely like to return home which is at the moment not feasible. Already many in these communities have been displaced for more than five years. They are getting used to the local environment.

There is gender bias due to cultural and traditional beliefs. For example, for some labor work done by both sexes, males are paid at a higher wage, i.e. Rs. 100 paid for men (considered stronger) as compared to Rs. 70 for women. Women have sole responsibility for taking care of things at home. Culturally there are other differences in roles as well. For instance, after temple *Pooja* holy ash is first served by the priest, who is always male (even though women also participate in the ceremony). The communities have noted other changes in gender roles and behaviors. Earlier, when girls rode bicycles they were looked down upon. Nowadays, all girls are able to ride bicycles as there is a need to travel to distant places and no public transport is available. Even in education girls are attending school in increasing numbers, often equal to or greater than boys. Women hold high positions in public life, which had never happened in the past. The conflict may be having the effect of changing, gradually, the role of women in Tamil society. " (CARE October 2000, pp. 24-25)

### **Heterogenous public participation conditions for IDPs in "fishing communities" in the Vanni (October 2000)**

- Good relations exist between locals and IDPs in Kattalampiddy. People are united in social activities and use common decision-making in issues concerning the community. This is not the case, however, in Valaippadu and Ampalavanpokkanai.
- The social activities are also conducted separately. IDPs feel that their stay is for a short period so are reluctant to integrate into the community.

*The following excerpt is extracted from a Household Livelihood Security Assessment conducted in the Wanni by CARE/WFP and published in October 2000. The villages referred to below were selected as representative samples of "fishing communities". The villages surveyed are the following: Ampalavanpokkanai, Kattalampiddy and Valaippadu.*

"Good relations exist between locals and IDPs in Kattalampiddy. People are united in social activities and use common decision-making in issues concerning the community. This is not the case, however, in Valaippadu and Ampalavanpokkanai. In Ampalavanpokkanai, for instance, there are separate fisheries cooperative societies for IDPs and locals, due in part to the large numbers of people involved. There is

little mutual respect in two village, Valaippadu and Ampalavanpokkanai, and decisions are made separately.

In Ampalavanpokkanai, IDPs remain segregated from locals in both economic and social activities while in Valaippadu this was noted only for social activities. In Kattalampiddy, IDPs and locals live and work together. Locals there depend on the IDPs for employment as IDPs are typically more affluent and own boats and nets. IDPs in welfare centres are displaced from the same area and will likely return there together. NGOs take a keen interest in the welfare of the IDPs, considering them particularly vulnerable. The IDPs have organized a fisheries cooperative society for economic development while locals have a separate fisheries cooperative society. The social activities are also conducted separately. IDPs feel that their stay is for a short period so are reluctant to integrate into the community.

There was little evidence of gender bias in these areas and equal participation was seen in many community activities. However, at present women get fewer job opportunities due to labor surplus and shortage of wage jobs. There are no traditional institutions functioning at present in these villages.

The conflict may have its most serious impacts on these fishing communities. Influx of IDPs has added to already crowded job market. Restrictions on the movement of fishing boats limit the catch and restrictions on travel limit marketing opportunities. The embargo makes it more difficult for fishermen to purchase gear and fuel has become significantly more expensive. Finally, the location of these villages has enough strategic importance to make them targets of SLA attacks." (CARE October 2000, p. 31)

### **Areas for improvement regarding management and community participation in Welfare Centres (September 2000)**

#### **"Key Recommendations:**

**Establish gender-balanced, and culturally appropriate, Welfare Centre Committees** for community self-management and provide training to enhance empowerment

**Identify opportunities for Welfare Residents to be employed to provide services** to the centres themselves through a combination of volunteer, payment-in-kind, and paid compensation

Ensure Government Welfare Centre **residents are aware of their rights and responsibilities**

#### **Core Problem Being Addressed:**

Lack of community involvement in management and running of Government Welfare Centres

Passivity and helplessness among the welfare centre population leading to a dependency syndrome

#### **Benefits:**

Increased community participation leading to better run welfare centres

#### **Stakeholders Responsible:**

Commissioner General for Essential Services, Ministry of Relief, Reconstruction and Development for the Northern Region, Ministry of Shipping, Ports, Rehabilitation and Reconstruction, Ministry of Education  
UNHCR, UNICEF

NGOs and Human Rights Organisations" (UNHCR September 2000, p. 12)

### **IDPs in the uncleared area not allowed to go to the polls (November 2000)**

- 216 cluster polling centers were set up for the 150,000 eligible IDP voters.

- Movement in and out the uncleared area was cancelled on 10 October thus "nullifying any potential for citizens in the uncleared to participate in the election by crossing and voting in the 'cluster polling stations' "

"[...] during the Parliamentary Elections on 10 October 2000, 216 cluster polling centres were set up to accommodate 150,000 eligible voters who belong to the category of displaced persons. There were 21 cluster polling centres in un-cleared areas in Batticaloa district, 54 polling centres in Mannar, 74 in the Vanni and four special polling centres for displaced people in these areas. There were 623,000 registered voters in the Jaffna district, but the present population is around 498,000. Government sources report that around 75 per cent of voters cast their votes at the 11th Parliamentary Elections.

There were disruptions in the movement of civilians in and out of the uncleared area on two occasions as a result of abrupt cancellation of crossing by the Ministry of Defense. These cancellations were largely inexplicable. Movement was also cancelled on 10 October thus *nullifying any potential for citizens in the uncleared to participate in the election by crossing and voting in the "cluster polling stations"* established for them." (UNHCR November 2000, pp. 8-9)

"Parliament was dissolved on the 18th of August 2000. Following the dissolution, Commissioner of Elections, Mr. Dayananda Dissanayake called for nominations between the 28th of August and the 4th of September and the date of the poll was fixed for the 10th of October. The poll was to be held in all 22 electoral districts including the districts of the North Eastern Province. The poll in Jaffna was conducted in the midst of on-going confrontation between the armed forces and the LTTE and the displacement of most of the voters in the Peninsula. Polling divisions in the 'uncleared' areas of the North East, i.e. those areas not under the control of the State were clustered and situated in the 'cleared' areas. Particularly affected were the Jaffna peninsula and the Vanni due to the prevailing security situation and in part due to the difficulties faced by the government and the military in putting in place the necessary infrastructure for the polls." (PAFFE & MFFE October 2000, p. 2)

***For more information on the October Parliamentary elections results see "Elections in Sri Lanka" [\[External link\]](#)***

## DOCUMENTATION NEEDS AND CITIZENSHIP

### Documentation Needs

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#### Some IDPs are denied citizenship and documentation (October 2001)

- IDPs in the North and Eastern province face difficulties replacing their ID cards needed to gain access to education and for crossing check-points.
- IDPs of Indian estate origin are denied citizenship.
- In some WC in Vavuniya less than a quarter of the IDPs have their birth certificates and less than 15% have an Identity Card.
- 70% of the people in the uncleared areas of Trincomalee do not have birth certificates.

"IDPs lack basic documents, such as birth certificates and national ID cards. Many fled their homes without taking such documents or have lost them in the process of displacement. Birth certificates are needed to gain access to education and to obtain a National Identity Card, which is necessary for movement, at checkpoints and for work for anyone over 18. Although a Front Office was established in Colombo to handle documentation, this service does not seem to reach people living in the Northern and Eastern province.

#### -Estate Tamils

Many IDPs are of Indian estate origin and face problems in obtaining documentation, such as NICs and birth certificates, because they are still denied citizenship.

#### Vavuniya

In certain WCs in Vavuniya residents lack both birth certificates and National Identity Cards. In Poonthodam Unit 8, for instance, less than 25% of the residents have their birth certificates and less than 15% have a NIC. Getting an ID card is a problem since IDPs need to produce affidavits from the Grama Sevaka as well as their birth certificate, photos and the ID card of either of the parents or siblings. Many people have lost their birth certificates in their flight from their villages and thus find that their applications are rejected.

#### Puttalam

Many Northern Muslim IDPs had to go back to Mannar to fetch their birth certificates at great risk to their safety. In Puttalam, IDPs further complain that they have been unable to register birth or death certificates in Tamil.

#### Trincomalee

As of November 2000, 55% of women and 30% of men did not have birth certificates in Villankulam WC, Trincomalee.

70% of the people in the uncleared areas of Trincomalee do not have birth certificates. They also face great difficulty in obtaining ID cards and are therefore unable to move through the numerous check points." (October 2001, p. 41-42)

#### The pass system in Vavuniya (September 2000)

## **Vavuniya and the pass system - a historical overview**

Displacement from the South to Vavuniya occurred as early as in **1956**, and **1977**, however, the government only set up welfare centers in **1983**.

**In 1977**, 15,000 displaced persons displaced from the South and the hill country sought refuge in Vavuniya and **in 1983** ca. 500 persons stayed temporarily in Vavuniya to escape anti Tamil violence in the hill country and communal violence in the South. They were catered for by the local community, relatives and friends. At the time no national policy was in place to address the issue of displacement in an organised manner and no welfare centers were established.

**In 1983**, two (02) camps were established in Omanthai and Kalkundamadhu in Vavuniya District.

**In 1990**, Thandikulam Transit Center (TC) was built by UNHCR to cater for returnees from India. With the resumption of hostilities and new arrivals, however, Thandikulam TC became also a center where internally displaced were seeking safety. It soon became overcrowded and as a consequence UNHCR set up centers in Chettikulam and Sithamparapuram. The latter is still operational and managed by the government and caters for some 2,000 families comprising 7,500 persons.

**Peak years** in arrivals in Vavuniya constituted **1996** and **1997** when respectively 24,337 and 54,989 displaced persons arrived, who were accommodated in welfare centers and by family and friends.

## **The Pass System**

The pass system was first introduced in Vavuniya **in 1992**

**In 1992**, a 3-months **open pass** was issued to all residents in Vavuniya 1993 all residents, whose name was on the 1989 voters list were issued a **permanent pass**

**In 1995**, a **restricted 3-month pass** was introduced in an effort to control movements from the North to the South for security reasons

**In July 2000** the **4-hours pass for welfare center residents** was replaced by a **3-month restricted pass** (Implementation of this policy has so far not been applied consistently for all the welfare centers.)" (UNHCR September 2000, p. 26)

## **High number of IDPs lack basic documentation (November 2000)**

- High number of IDP lacking basic documentation.

"The population profiles carried out by UNHCR Field Offices in Trincomalee, Madhu and Vavuniya revealed a high number of IDPs lacking basic documentation such as birth certificates and national identity cards. In Villankulam welfare centre in Trincomalee for example 55% of the female residents do not have birth certificates versus 30% of the male population and in Alas Garden welfare centre 13,9% of the children, who lack birth certificates, are excluded from school.

The Front Office in Colombo, established by the Ministry of Justice and Constitutional Affairs, deals with registration issues. They also conduct mobile "on the spot" services and estimates are that so far 25,000 claims presented by Tamils were registered (no details as to whether displaced persons were included in these figures)." (UNHCR November 2000, p. 9)

## **New requirement of identity cards for people in Jaffna (May 2000)**

- New special military identity cards issued in 1999 in Jaffna must be carried by children as young as 10 and are almost impossible to replace.
- Since April, residents in Mannar are required to have special army permits

- In addition to National Identity Cards, people living in Army areas are required to have military-issued special identity cards (SIC)

"The Government [...] made a commitment to speed up the issuing of permits to allow mobility in war-affected areas. However, new Special Identity Cards issued by the army in Jaffna in summer 1999 have presented new problems. Children as young as ten are required to carry these cards, which are almost impossible to replace when lost." (SCF-UK 8 May 2000, p. 122)

"In April 1999, the military took steps to issue special army permits (ID cards) to all residents in Mannar as is already done in Vavuniya. Although the regular hardships and obstacles that the Tamil people in Vanni were facing as a result of this system of special passes was pointed out, the government did not take any steps to introduce a more convenient system [...] It was reported that at the end of January 2000 the government is expecting to introduce the same special identity card system to the 600,000 people who live in the Batticaloa District." (MIRJE 22 February 2000 p. 18)

"According to reports, the Army's demands relating to security are creating more problems for the people of Jaffna. The military say strict security measures are necessary to curb LTTE infiltration into the peninsula. A new order requires each family to provide a family photograph to the closest military camp, together with three copies of a form containing information about the family. All family members must be present at the camp to submit the forms.

The people in Army areas must have military-issued special identity cards (SIC), in addition to National Identity Cards, although human rights agencies say this contravenes constitutional provisions on equality. After discovery that the Tigers were posing as students, all students are now expected to possess SICs. By August, 378,500 of the 525,000 Jaffna population had been issued SICs." (BRC August 1999a)

### **High percentage of IDP children lack identity documents (May 2000)**

- High percentage of IDP children in Jaffna lost their birth certificate during displacement.
- No identity card or education is provided without the birth certificate and not having the identity card means not being able to cross the military check-points.
- Following a decision by the Ministry of Education in 1997, children without birth certificates were allowed to attend school, but not to sit for exams.
- Obtaining a replacement birth certificate is very difficult in Sri Lanka.
- The children of the 100,000 Sri Lankan refugees repatriated from India between 1987 and 1996 live in displaced camps are stateless.

"One of the most fundamental rights enshrined in the United Nations Convention on the Rights of the Child (UNCRC) is the right of the child "to preserve his or her identity ... as recognised by law". Many displaced children lose key identity documents when they are forced to flee: only 47.5 per cent of 1,250 school-aged children interviewed in Jaffna district in 1998 had their birth certificates, and almost all of those without them had lost them during their displacement.

In Sri Lanka, the birth certificate is a particularly important document. Without it, displaced children are unable to gain full access to education and the all-important national identity card. Every Sri Lankan over the age of 18 must have an identity card: it must be presented at every checkpoint (those who don't possess one can be taken in for questioning), and it is needed for work.

In August 1997, the Ministry of Education issued a directive instructing school principals to admit children without birth certificates – a step forward in guaranteeing the right of displaced children to attend local

schools. Nonetheless, children without a birth certificate are still not allowed to sit for exams or to represent their school in sports or other events. In some cases they may be denied free school uniforms or books. The UNCRC obliges governments to "provide appropriate assistance and protection with a view to re-establishing [the child's] identity". However, in Sri Lanka, obtaining a replacement birth certificate is notoriously difficult: it requires information that most displaced children do not have, including the original birth registration number and date of registration. As a result, thousands of children cannot re-establish their identity in legal terms. The situation is worse still for the children of the 100,000 Sri Lankan refugees repatriated from India between 1987 and 1995. Most still live in displaced people camps and many are effectively stateless: refused Sri Lankan citizenship because their parents have no proof of their birth." (SCF-UK 8 May 2000, pp. 119-120)

## PROPERTY ISSUES

### General

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#### **Many IDPs are forced to occupy land and houses illegally (November 2002)**

- IDPs have often no choice but to occupy other people's premises.
- In many areas such occupation is with consent, usually with conditions attached
- Relationship between the owners and the occupiers seem to be very cordial and there is a sense at least for the time being that problems will be sorted out amicably.
- Sometimes illegal occupation has become an easy way to earn some money and also a way to settle old scores.

"An issue that is widely prevalent in the entire region in general and in the towns in particular is the occupation of both private owned property and state land by people who do not have the legal right to do so. Most of these occupiers are IDPs themselves who have no choice but to occupy other people's premises. Many of the returnees for example in the Kaaraitivu and Kayts islands are living on and cultivating their former neighbour's land. What has to be noted is that in many areas such occupation is with consent. Many of the owners who have moved and settled in other parts of the country or abroad have consented to the occupation by "visitors". Consent has been given usually with conditions attached. Some of the common conditions are that the occupiers will leave on request by the owner or occupiers will leave when they have rebuilt their own dwellings. There have also been instances where the occupiers have been asked to buy the property that is currently being occupied. On certain occasions the occupiers have been given a time period to move out by the owners. It is interesting to note that the relationship between the owners and the occupiers seem to be very cordial and there is a sense at least for the time being that problems will be sorted out amicably.

On the other hand there are certain instances where disputes have arisen with regard to illegal occupation. The owners returning to their own land have been rudely shocked to find unwelcome visitors on their property who stake a claim to property on various bases. The encroachers claim ownership on a variety of pretexts like having effected improvements to the property or raising defences such as prescription. In the Jaffna town illegal occupation has become an easy way to earn some money and also a way to settle old scores. When news of the return of owners is received there are those people who occupy that particular property and demand money in return for vacating.

Where a dispute cannot be amicably settled the aggrieved party seek police assistance failing which, cases are filed in the relevant district court. Aggrieved parties have at times approach the regional offices of the Human Rights Commission (HRC) even though intervention in private property issues is not under the purview of the HRC." (Premaratne, Eranthi November 2002, pp. 2-3)

#### **Fighting has caused enormous damages to property (November 2002)**

- The damage to the property caused by fighting, looting and neglect is enormous.
- As a consequence of the extensive damages caused to the property people have lost their houses and business premises.
- The process of reconstruction and rebuilding is sure to be long and hard.

"The damage to the property caused by fighting, looting and neglect is enormous. Movable property has disappeared. A large proportion of the buildings that have stood a few years ago do not stand there anymore. Those buildings that are still standing are damaged to varying degrees. While some buildings can be occupied with minor repair others need to be completely reconstructed. Some structures have to be bulldozed and new structures put up in their places. As a consequence of the extensive damages caused to the property people have lost their houses and business premises. The state too has lost its property. The chemical factory in Paranthan the only one of its kind in Sri Lanka has been destroyed beyond repair. The large steel barrels that are broken and rusted can be sighted from the main road.

Some of these people have gone through the rebuilding process before and have exhausted their financial and other resources. Even though desperate to go back limitations on the resources do not permit them to do so.

To add to the woes caused by war mother nature in the form of sea erosion has swallowed up the coast. Some fishermen in Mannar have returned home only to find their land disappeared." (Premaratne, Eranthi November 2002, pp. 4-5)

### **Most property disputes are settled amicably (November 2002)**

- Proving legal title to ownership or occupancy of land has to be done through documents, documents which are mostly misplaced or lost.
- A mechanism employed by both the Government and the LTTE to make up for lost documents is obtaining a certificate from the Grama Seveka Niladhari to the effect that the claimant was in occupation of that particular piece of land prior to displacement.
- Many of the Land registries in the region have a problem coping with the work due to the inadequacy of staff.
- Since most property disputes seem to be amicably settled issues with regard to proving ownership through documents does not arise frequently.

"Proving legal title to ownership or occupancy of land has to be done through documents, documents which are mostly misplaced or lost. On fleeing the onslaught of war many have left their documents behind including National Identity Cards, Birth certificates, Title to property etc. A few who have had time to grab them have guarded them with life and taken them from one place to another through the course of their multiple displacement.

Since the stabilization of the situation and with signs of peace dawning some of those who have lost their documents are queuing outside the *Katchcheris* or the Land Registries where records are kept. Some have already approached the Land registries in their respective areas and successfully obtained copies of their lost title documents. These are the fortunate ones who have managed to trace the numbers of their deeds through their neighbor's documents that are still accessible. Some have done a title search and found the necessary details and subsequently obtained copies. However there are those unfortunate IDPs who have no way of tracing their documents and as a result cannot obtain copies. This problem arises specially where documents of the land registry is also destroyed. Many volumes of the Land Registry in some parts of the North have been destroyed. Where an owner seeks assistance of the Land registry in obtaining their documents but the relevant records have been destroyed the officials issue a letter to that effect. A mechanism employed by both the Government and the LTTE to make up for lost documents is obtaining a certificate from the Grama Seveka Niladhari to the effect that the claimant was in occupation of that particular piece of land prior to displacement.

Even at this initiation stage many of the Land registries in the region have a problem coping with the work due to the inadequacy of staff. It is expected that those who have lost their documents will flock in their hundreds to obtain lost records. Then the issue of coping with the workload is sure to be a problem. Therefore strengthening the capacities of these institutions is an issue that needs to be addressed by the state in the coming days.

With regard to the documents what has to be noted is that many of those displaced do not seem to comprehend their importance. It is also important to note that since most property disputes seem to be amicably settled issues with regard to proving ownership through documents does not arise frequently. However in the Jaffna courts certain issues with regard to proving ownership are pending for the want of documents and in certain cases legality of documents produced are being questioned." (Premaratne, Eranthi November 2002, pp. 6-7)

### **IDPs are generally not compensated for loss of property (October 2001)**

- Generally no compensation for IDPs whose house or land has been requisitioned or destroyed.

#### **"Requisitions/Compensation**

Requisition of land and houses for military purposes (airports, bases and security zones) is a regular occurrence. The Armed Forces rarely pay any rent or compensation for the property they occupy or have destroyed. Farmers are relocated to other sites without retraining or compensation for lost land. According to Vanni MPs, as of December 2000, the army was occupying a number of houses in Mannar without paying rent. The Jaffna NGO Consortium stated that, as of December 2000, the 15,000 people displaced from Palaly had not been compensated. The 10,000 acre area is a high security zone and most houses in the area have been demolished.

#### **North Western Province**

Northern Muslims from Mannar and Jaffna were forcibly evicted and dispossessed of their property in 1990. Before 1990, Muslims owned 60% and 40% of business and property in Mannar Town and Vavuniya respectively. Muslims owned thousands of heads of livestock and poultry. Among the reported 9,025 families there was a total of 59,646 cattle, 45,369 goats and 83,452 poultry. The Muslims in the agricultural areas had stored stocks of grain worth millions of rupees at the time of eviction, which they had to forego. Compensation for damaged houses has been paid to a few government servants, but the rest of the population has not been paid any compensation. The 110,000 IDPs in Puttalam face the threat of losing ownership of their property in the North through the application of the law of Prescription and of having to go to Court to assert their ownership. Kalpitiya IDPs whose houses were damaged by the cyclone were told they were not entitled to compensation because they were receiving food rations.

#### **Jaffna**

Most reports anticipate problems between future returnees from Puttalam and the uncleared areas and displaced people who are presently squatting in their houses. The latter includes former residents of coastal villages whom the military does not allow to return and those whose homes were destroyed during military operation in 1995. Compensation for losses and damages which occurred during military operations in Jaffna has not been paid" (CPA October 2001, p. 43)

### **Current property law dispossesses IDPs after 10 years (November 2000)**

"Main concern of for example Puttalam IDPs from Mannar and Jaffna is that prospects for return are blurred, *inter alia* due to the current property law which in principle entails that title deeds expire after 10 years of not exerting usufruct of property. Human Rights Organisations are planning to challenge the validity of this law in court.

More research (surveys) needs to be done to get a better overview of the gravity and scope of this problem." (UNHCR November 2000, pp. 9-10)

## **Government's response to lost property**

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### **No uniformity in government's compensation package (November 2002)**

- Though a pre-determined compensation package by the government is available there is no uniformity in the compensation that has been offered.
- None of the IDPs encountered had received any form of compensation from the Tamil Rehabilitation Organization.
- The lack of funds for compensation is limiting the numbers of grantees as well as the amounts they receive.

"The government has at various stages of the conflict granted compensation to the victims for the many losses suffered ranging from deaths of family members, incapacitation, loss of property, loss of livelihood etc. Though a pre-determined compensation package by the government is available there is no uniformity in the compensation that has been offered. For the same loss suffered the compensation received differs. Further while some have received some sort of compensation for their losses others have been completely overlooked. Though the Tamil Rehabilitation Organization (TRO) in the LTTE controlled areas is supposed to have compensated none of the IDPs encountered had received any form of compensation.

Further despite the existence of a compensation package, the lack of funds for compensation is limiting the numbers of grantees as well as the amounts they receive. However as a priority the state should ensure that the people are given some sort of compensation. This is vital for the restarting process." (Premaratne, Eranthi November 2002, pp. 10-11) .

### **No clear stance on the issue of prescription by either the state or the LTTE (November 2002)**

- Current Sri Lankan law regarding claims to land and property is based on the principle of prescription, which offers a defendant to acquire property after 10 years of uninterrupted possession.
- For the laywers in the LTTE area, the applicability of the law of Prescription seem to depend on the reasons the owners left. For example if the owners have left the shores of the country seeking greener pastures the prescriptive period applicable will be 10 years, whereas if the owner has left to escape the war a 20 year period will apply.

"The Sri Lankan law as it stands today under the Prescription Ordinance offers the defence of prescription when defending claims to land and property. Where a defendant can prove enjoyment of uninterrupted and undisputed possession of immovable property for a period of 10 years or more that person may stand to acquire the right to the property though lacking formal title. In the situation at hand where owners have been forced to stay away for over 20 years prescription as a defence could be freely raised when staking a claim to other people's land.

There is no clear stance on the issue of prescription by either the state or the LTTE. Despite the legal position as it stands there are informal understandings among different stakeholders. Certain lawyers practicing in the regions have come to the understanding that they will refrain from employing prescription as a defense. The lawyers practicing in the LTTE controlled areas are ambiguous on this issue. There is the view among them that the prescription period will be extended to 20 years from the existing 10 years. However this 10 year extension is insufficient. Further according to the lawyers practicing in the LTTE controlled areas the applicability of the law of Prescription also seem to depend on the reasons the owners left. For example if the owners have left the shores of the country seeking greener pastures the prescriptive period applicable will be 10 years, whereas if the owner has left to escape the war a 20 year period will apply.

Another important point that needs attention at this stage is the Tesawalami Law (Tesawalamai is a customary law applicable to those who fall within the description of Malabar inhabitants of the province of Jaffna. This law also has a territorial application in that it is applicable to land that is situated within the Northern province regardless of the race or nationality of the owner.) that has been modified by the LTTE. Tesawalamai law imposes severe restrictions on women even when dealing with their own property. Such discriminatory provisions of the law have been made inapplicable by the LTTE in areas under their administration.

These are but a few legal issues that figures prominently at present. There lies a whole gamut of issue that need to be resolved if normalcy is to be restored. (Premaratne, Eranthi November 2002, pp. 11-12)

## Conditions and prospects for return/resettlement

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### **220,000 IDPs have returned home since January 2002 (November 2002)**

- From January to September 2002 some 220,000 IDPs have returned home, relocated elsewhere or are in transit.
- Consultation of IDPs themselves about their future should remain at the top of the agenda of all seeking to provide assistance or offer durable solutions for the displaced.
- UNHCR anticipates that as the results of the IDP registration exercise become available (in December 2002), individual IDPs preferences for the future will be better understood.

"Based on the latest Government estimates, the UN Inter-Agency IDP Working Group understands that from January to September 2002 some 220,000 IDPs have returned home, relocated elsewhere or are in transit.

While most IDPs and refugees may see return to their places of origin as the preferred solution to their displacement, this is not universally the case. As the rapidly developing peace process and the quest for solutions to the problems of displacement continue, it can be easy to overlook the importance of consulting with the displaced regarding the 'right to choose' their own future.

At this time it is crucial, for both national authorities and humanitarian agencies alike, to remain mindful of the range of options available to the displaced, in particular the alternatives to return to the place of origin. In many cases, particularly after long-term displacement, IDP families may choose to stay in the location of displacement, and to pursue local integration. These IDPs may desire, and deserve, the support to do so. In other cases, particularly for landless IDPs, relocation might be the solution of choice. Equally, this choice must be respected, and supported.

Consultation of IDPs themselves about their future should remain at the top of the agenda of all seeking to provide assistance or offer durable solutions for the displaced. In addition, it is essential to recognise the responsibility of the Government and of humanitarian agencies to ensure suitable preconditions for return, relocation or local integration in safety and dignity. This means ensuring that the legal, material and security conditions are suitable to permanently sustain the population.

UNHCR anticipates that as the results of the IDP registration exercise become available, individual IDPs preferences for the future will be better understood. The second phase of the registration process is progressing and all districts with IDPs have submitted their registration forms to FINDER2000. The results of the IDP registration process are expected in December.

**IDP SPONTANEOUS RETURN**  
**Estimates of Individual IDP Movement**  
**to and within:**

▪ Jaffna	118,107
▪ Kilinochchi	40,654
▪ Mannar	9,466
▪ Mullaitivu	29,396
▪ Vavuniya	13,076
▪ Trincomalee	10,063
▪ <b>TOTAL</b>	<b><u>220,762</u></b>
▪ <b>Families</b>	<b><u>56,075</u></b>

*Note: Information is gathered by Government Agents in each District and subsequently reported to the MRRR/PPCU in Colombo. This information is then compiled and shared with UNHCR. The Government has recently started a new process for information gathering and reporting, which is still being developed.*

UNHCR recently undertook a mission to the north to assist the Government of Sri Lanka with the gathering, consolidation and dissemination of information pertaining to IDPs and IDP returnees. It is expected that as a result more districts will soon be able to provide frequent and consistent information to the MRRR/PPCU and UNHCR." (UN Inter-Agency IDP Working Group 28 November 2002, p. 2)

### **People return despite the risk of mines and UXOs (November 2002)**

- Both the government controlled areas and the LTTE controlled areas are heavily mined.
- The desire to return is so great that people have returned to their dwellings despite very real threats to their lives.
- At this stage of the peace process de-mining is a priority as people are returning home to largely unsafe areas.
- A de-mining process has effectively begun in the LTTE controlled areas namely in the Wannai and Killinochchi.

"Landmines and UXOs are abundant in the war ravaged North. Unexploded shells, bullets bullet cases etc are freely lying around specially in the Killinochchi area. Both the government controlled areas and the LTTE controlled areas are heavily mined. While the locally produced LTTE landmines popularly known as *Jhonny Battas* become automatically dysfunctional after about one year since production, lapse of time has no effect on the land mines used by the SLA and thus they remain potent.

Disregarding the risks and warnings, families with little children have returned to their houses some of whose backyards are heavily mined. Movements of the occupants are heavily restricted and the children have to be constantly supervised by the adults. Cattle and goats roam freely on the minefields and some have succumbed to injuries from landmine explosions. It was indeed surprising to note that many of these people do not seem to be too worried about the explosives lying around. What was gathered was that the desire to return is so great that people have returned to their dwellings despite very real threats to their lives.

At this stage of the peace process de-mining is a priority as people are returning home to largely unsafe areas. A de-mining process has effectively begun in the LTTE controlled areas namely in the Wannai and Killinochchi. Assisted by foreign de-mining training units the Humanitarian De-mining Unit (HDU) which is part of the Tamil Rehabilitation Organization (TRO) has started the tiresome process of de-mining. The de-mining gadgets comprise of the most basic equipment. Despite the simplicity of the equipment used the process is supposed to be very effective and safe and the trained HDU personnel have so far managed to laboriously clear a number of mine fields without any major accidents. The status of the de-mining activities of the SLA is unclear. What is clear is that when the SLA vacates premises occupied by them they clear the land of mines and UXOs. However it was learnt that such de-mining activity is not comprehensive and accidents have been reported on so called de-mined areas. A number of international de-mining units like the Halo Trust are operating in Jaffna and are attending to emergency de-mining operations. The resettlement process is greatly facilitated by the fact that Halo trust is only a phone call away and can be called in to clear explosives that have been sighted." (Premaratne, Eranthi November 2002, pp. 5-6)

### **3 scenarios of return envisaged by UN and Government (August 2002)**

- The most likely scenario envisages involve the spontaneous return of an estimated total of 250,000 IDPs by the end of 2002.
- The number returning to rural locations is expected to be larger than those returning to towns.

#### **"2. SCENARIOS**

Critical to the preparatory process is determining credible scenarios for the future development of the IDP situation. Three scenarios were considered, but the most likely one has been used as a basis for planning:

##### **2.1 A Mid-level and Constant Rate of Return**

This scenario assumes that the peace process will move forward slowly but surely, and that consequently there is a mid-level and only slightly rising rate of spontaneous IDP return. The pressure to resolve the conflict is both economic and political and comes from both sides, and whilst they are sincere in their desire to establish a just and comprehensive peace, there are also many factors that could derail the process. This will contribute to continuing uncertainty that will limit IDP return to groups that have the least to lose by leaving their current locations and the most to gain by returning home, provided that it is to areas with few landmine or other security concerns.

In consultation with Government, the UNCT, opted for this as the most likely scenario, and that it could involve the spontaneous return of an estimated total of 250,000 IDPs by the end of 2002. The division of these IDPs into districts and the levels of need across different sectors were determined by extrapolating from the statistics on over 100,000 people known to have returned since January 2002. The number returning to rural locations is expected to be larger than those returning to towns.

##### **2.2 A High and Rapid Rate of Return**

This scenario assumes that the peace process will suddenly take off, and there is a high and rapid rate of spontaneous IDP return. As the cease-fire continues to hold, there is concern that the prevailing state of tranquillity might trigger large-scale return movement, which will exceed the capacity and means of the UN response. The Inter-Agency Mission indicated that large-scale spontaneous return to areas not ready to receive them is a real and worrying possibility. This scenario becomes more likely if the anticipated agreement on the Interim Administration is arrived at an early stage of the Thailand talks.

##### **2.3 Further Internal Displacement**

This scenario assumes that the peace process ends, in which case the spontaneous return would reduce or stop altogether, and if conflict renews there may be further internal displacement. The revitalised hope

in peace should not obscure the fact that the situation remains fragile and could deteriorate if the negotiations break down, which underscores the continued need for the Government and UN to conduct contingency planning on the basis of both runaway success and complete failure. Response to this scenario has been built into preparedness components of programmes contained in this document." (Government of Sri Lanka & UN 23 August 2002, p. 7)

### **Local integration, relocation and return: the challenges ahead (April 2002)**

- Many of the ethnic Sinhalese IDPs are believed to have integrated locally of which many are unlikely to return in the foreseeable future.
- Given the limited funds of the Government it is unlikely that much, if any assistance will materialize for IDPs opting for local integration.
- The option of relocation is primarily directed at the 175,000 IDPs in the government welfare centres.
- The MRRR is aiming at relocating a total of 27,110 families, which will empty most of the welfare centres. Some 8,000 are to be targeted this year.
- The IDPs relocated from welfare centers will transfer a high dependency syndrome with them from which it will be difficult to wean away.
- Most IDPs will want to return when they perceive that conditions are conducive for return.
- The LTTE are permitting IDPs to return to the eastern districts, but not to other areas.
- Return and successful reintegration is very much predicated by the prospects for economic recovery and availability of basic social services.
- The MRRR estimates that there are some 30,000 young widows among the IDPs, of which 19,000 are in Jaffna District alone. Their full reintegration through access to sustainable livelihoods presents a special challenge.

"As the peace process gathers momentum, the focus on IDPs will shift from care and maintenance to durable solutions - local integration, relocation and return. In the latter case, the MRRR's planning framework, and the UN system's support of it, should simultaneously address the needs of returning refugees from India.

#### **Local integration:**

It is unclear how many of the IDPs have already integrated within their host communities. However, the fact that 85,000 of the estimated 800,000 IDP caseload do not receive any food assistance suggests that significant levels of local integration already exist. Many of the ethnic Sinhalese IDPs are believed to have integrated locally of which many are unlikely to return in the foreseeable future. This may also be the case among many Muslim IDPs, especially those that have significant assets and have re-established sustainable livelihoods in areas of displacement.

Given the probable demands of return and relocations programmes on the GSL's limited resources, it is unlikely that much, if any assistance will materialize for IDPs opting for local integration. Likewise, it is unlikely that the international community will place much priority on such assistance. Indeed, local integration should be seen within the broader context of national medium-term social and economic recovery in war-affected areas.

#### **Relocation:**

The option of relocation is primarily directed at the 175,000 IDPs in the government welfare centres. In the absence of any assisted return programme, and given that the majority of the IDPs in the welfare centres

have no land or property to return to, the GSL's policy since 2001, under its Unified Assistance Programme, has been to relocate them out of the squalor of the welfare centres to government lands.

According to UNHCR, during 2001, the GSL relocated a total of 974 families in Vavuniya and 235 in Mannar, supported by UNHCR. Currently, the MRRR is aiming at relocating a total of 27,110 families, which will empty most of the welfare centres. Some 8,000 are to be targeted this year.

Under the MRRR programme, relocated IDPs are provided with title to a half-acre plot of land. A Rs.50,000 grant is provided for temporary shelter and a further Rs.15,000 as a settling-in allowance. Neither amount is adequate for the intended purpose.

Because a half-acre plot is only sufficient for a house and for some limited subsistence cropping, the relocation programme must be accompanied by area-based livelihood and social services support programmes, if it is to succeed in lifting the relocated IDPs out of their acute levels of poverty and dependence on food aid. The overall resources required by the ministry for the programme, including medium-term social and economic rehabilitation, greatly exceed the amount available in the MRRR's budget.

Many of the IDPs have been in the welfare centres for over a decade and consequently there is much evidence of resignation to complete dependence on assistance. Only a small percentage are engaged in wage labour and then only on a seasonal basis. There is little or no economic activity within the centres and women appear to be completely excluded from any legitimate sources of income. Hence, in their relocation, it must be recognized that they will transfer a high dependency syndrome with them from which it will be difficult to wean away. Indeed, it was indicated to the Mission that some IDPs would choose to remain in the welfare centres rather than face the uncertainty of being 'independent'.

**Return:**

Return to areas of origin is the optimal durable solution. Most IDPs will want to return when they perceive that conditions are conducive for return. As in most IDP/refugee situations, levels of spontaneous return are good indicators of the perceptions the displaced have of the changing conditions in their areas of origin. While there are only crude estimates of current rates of spontaneous return, it is clear that the rate is increasing. The LTTE are permitting IDPs to return to the eastern districts, but not to other areas.

While the will to return is widespread, IDPs continue to be constrained by a number of factors, namely:

security - there remains much apprehension about whether the peace-process will succeed and thus fear that it is premature to risk returning;

mines and UXOs - this remains a predominant reason for the inability to return to many areas. Mined agricultural land will likely remain unusable for some time;

the SLA's 'high security areas' occupy many areas of potential return and are thus not accessible to returnees (e.g., one fifth of Jaffna District);

destruction of property means that many IDPs have no shelters to return to nor resources to rebuild their destroyed homes;

occupation of lands/houses by others and risk of not being able to re-occupy land that has been abandoned for ten years;

lack of GSL resources and functioning mechanisms to compensate for losses incurred through the conflict;

farmland that has regenerated to bush due to lengthy abandonment; and

lack of employment and income generating opportunities in areas of return.

**Reintegration and recovery:**

Aside from the chronic need for comprehensive mine-action, discussed in section 4 above, return and successful reintegration is very much predicated by the prospects for economic recovery and availability of basic social services. This requires inputs that currently extend well beyond the capacity or resources of the MRRR and its international partners. Moreover, once IDPs (and refugees) are returned, assistance for their reintegration and recovery must be delivered through area-based programming that all needy persons have access to. For the UN system, this requires that there be a seamless transition from humanitarian interventions under the leadership of UNHCR to the recovery initiatives driven by the development community under the leadership of the Resident Coordinator.

The recovery needs are many and include:  
the rehabilitation of basic social services;  
skills upgrading and vocational training;  
enhanced access to micro-credit for farmers and fishermen;  
enhanced access to commercial loans for small business enterprises; and  
rehabilitation of transport infrastructure and access to markets.

Essentially, these needs are part of a broader economic and social recovery framework that is the dividend of a successful peace process. These needs are currently being assessed by the HLAM. IDPs are but part of the beneficiary population, as are returning refugees, and eventually the many demobilized combatants, whose special needs must be addressed if peace is to be sustained.

Special attention must be paid to women and especially women-headed households. The MRRR estimates that there are some 30,000 young widows among the IDPs, of which 19,000 are in Jaffna District alone. Their full reintegration through access to sustainable livelihoods presents a special challenge.

As part of the overall programming for reintegration and recovery of IDPs is the need to address the psychosocial needs of many IDPs that have been traumatized by violence, atrocities and other human rights violations, as well as the dehumanizing consequences of being uprooted, homeless and destitute. Reconciliation and peace-building activities are an essential component of this healing process." (IDP Unit April 2002, pp. 9-12)

**Government sometimes deliberately hampers resettlement of IDPs (October 2001)**

- Permanent housing or employment for IDPs is sometimes obstructed or discouraged by government officials.
- Government's policy appear to forbid IDPs from resettling outside their district of origin.
- Restrictions on movements for Tamils to the south means that IDPs are not allowed to resettle south of Vavuniya as they are rather encouraged to return to Jaffna.
- Allocation of lands and funds is reported to be distributed in a discriminatory manner.

"At regional level, IDPs have not always been welcome in their host District and there are reports of government officials deliberately hampering the efforts of IDPs or NGOs attempting to build permanent housing or find permanent employment. In the North Central Province, an NGO has complained that their attempts at building permanent structures, such as toilets or wells, for long term Muslim IDPs has been deliberately slowed down by local government officials. It was further reported that IDPs in some camps had been threatened that their rations would be cut off if they used the more permanent tin roofing instead of cadjan. Host communities have also shown reluctance to integrate IDPs, especially in the case of the Muslims in Puttalam.

It appears to be Governmental policy that displaced families cannot relocate outside their District of origin. This has seriously hampered the right of IDPs to seek safety in another part of the country. It has also meant that some IDPs, in particular the Muslim communities chased from Mannar and Jaffna, have been living in temporary accommodation, unable to acquire land for the past ten years.

Due to the current segregation of the Tamil community and severe restrictions on movement, Tamil IDPs are almost never allowed to resettle south of Vavuniya. There is also reluctance on the part of the authorities in assisting IDPs wishing to return to the uncleared areas, and in particular in granting them the resettlement package they are entitled to. By contrast, there is pressure by the Army for IDPs in Vavuniya to return to Jaffna. They are transported free of charge overland to Trincomalee and from there by boat to Jaffna.

There are numerous complaints that the allocation of lands and funds is distributed in a discriminatory manner. In Trincomalee, despite the declared policy that there are no funds for relocating the District's predominantly Tamil IDPs, 60 families of Sinhalese fishermen from 2 WCs were relocated in Cod Bay and given Rs 5000 and 16 perch of land. 30 Sinhalese families from Love Lane WC have also been relocated and granted the Unified Assistance Scheme. In Batticaloa, the Ministry of Eastern Rehabilitation recently allocated funds for the construction of 450 houses under a subsidised scheme. Under this scheme, 300 houses are being constructed for Muslims in 2 villages and 150 houses for Tamils, despite the fact that the ethnicity ratio is 75% Tamils and 25% Muslims." (CPA October 2001, pp. 57-58)

### **IDPs allegedly forced to relocate in dangerous areas (October 2001)**

- IDPs appear to be rarely consulted prior to their relocation and are sometimes forced to relocate in insecure areas.

"Despite governmental claims to the contrary, it appears that the authorities rarely consult IDPs or obtain their consent prior to relocating them. Further reports indicate that in some cases, IDPs are forced to relocate in areas where they do not want to settle for security reasons. The following cases confirm this point:

IDPs from parts of Collumbathurai and Ariyalai have not been allowed to resettle in their places of origin. The authorities are encouraging those IDPs to relocate in a number of Divisions in Thenmaradchchy, areas where IDPs feel they would be used as human shields.

It has also been reported that the LTTE in the uncleared Vanni is encouraging IDPs to resettle in mined areas.

Of the 10-15% of displaced Muslims who have returned north so far, the largest number returned to Muslim villages located in the southern part of Vavuniya district. The entire Muslim population of the northern province was "ordered" to leave in 1990 and the "order" for all appearances still remains in force. The LTTE which has ordered the expulsion is also in a commanding position in every respect in the areas to which the Muslims have returned to or wish to return to. Few have returned to Mannar as their protection has not been guaranteed by the State.

In 1993, some Colombo camps were forcibly closed down both out of security concerns and to project an environment of normalcy. On 10 June 1993, officials from the Department of Social Services informed residents of the Vivekanand Camp that the camp would be closed on 16 June and that the residents would be relocated in Batticaloa, which was declared a 'cleared area'. Yet, on the same day, the Sri Lankan security forces launched a massive 'search and destroy' operation against the LTTE, codenamed 'Muhundu Sulang' (sea breeze). The operation involved 3,000 ground troops assisted by the army and the navy. At

this point, there were 348 persons from 109 families registered as residents of the camp. It had been in operation since late 1991 and was administered by the Department of Social Services in Colombo. Many of the families in the camp felt insecure about returning to Batticaloa and on 11 June wrote to the Director of Social Services asking for a reconsideration of the government decision. On the evening of 15 June, residents were informed that buses would be arriving in the morning 16 June to take them away, and that supplies of food would be discontinued to the camp from that date. After opposition from the residents, on 30 June, 38 families were first sent to the Navalady transit camp, Batticaloa. 75 families were sharing six toilets and one well, with no kitchen facilities. There were also no schools in the vicinity.

Muslim returnees to the North face many problems, as they are restricted to certain economic activities, religious observances, etc. while they suffer due to lack of food supplies, medical facilities and schooling for the children. The Muslim returnees have also faced many specific problems after their return. Security restrictions are the most serious ones in certain areas, particularly Vavuniya. Another problem is that they feel insecure and vulnerable, because of the small number of returnees compared to the number of Muslims who lived there prior to the expulsion.

IDPs from border villages have been relocated in areas of very poor security and have consequently been re-displaced a number of times. In Trincomalee, resettlement has reportedly been done without planning and there is lack of security in resettled locations. In June 2001, the Ampara GA stated that a sum of Rs7000 would be issues for the construction of temporary huts at Aligambai for the relocation of 221 families.

In June 2001, Trincomalee GA S.P. Chandrasa wrote that IDPs in Alles Garden were to be resettled to their original place of origin with immediate effect. Remaining IDPs, most of whom are fishermen, were to be relocated in Nilaveli, some 6 kms inland. The declared justifications were security concerns and fear of LTTE infiltration. There were also rumours that the Navy required the land for a new camp. Despite the announcement that this move was cancelled following the intervention of the Ministry for Northern Rehabilitation, IDPs remained concerned.

Vavuniya and Mannar 'crash' relocation programme :

A current 'crash' relocation programme for families in Vavuniya WCs is currently being undertaken in Vavuniya and Mannar. So far, families from the Welfare Centres have been resettled in Tharanikulam, Sundarapuram and Maravankulam, all north of Vavuniya town. There are further locations south of Vavuniya and in Mannar. Each family as well as being provided with a ¼ acre of land, a small concrete house and toilets, is also entitled to receive the UAS package, including Rs 1,000 worth of farming implements. Out of the Rs 6,000 cash resettlement package originally promised, the government will only give Rs. 800 to the IDPs using the rest to provide electricity. Resettled families in Tharanikulam were first to be given ½ acre of land. This has been halved and resettled families complain that the land allocated to them is too small for them to grow crops to subsist on.

It appears that the families which have been relocated were not informed or consulted with regard to the location where they would be resettled. According to some IDPs, all residents in Nelukulam WC were forced to register for relocation approximately two weeks before they were actually relocated. The Nelukulam WC will soon be closed so that at any rate IDPs have no choice but to relocate. Furthermore, IDPs in Poonthoddam WC Unit 2 & 3 complained that officials from the GA's office had threatened to cut their rations if they refused to relocate in Tharanikulam and Sundarapuram. These IDPs have no objection to relocation per se but fear that the LTTE will abduct their children in the said villages.

Indeed, there is very serious concern among the IDPs that the locations identified by civil and military administration are unsafe as they are very close to the Front Line. Some displaced persons suspect that the villages have been built to act as buffers and shield Army camps, such as the one in the near vicinity of the Tharanikulam village.

Whereas Government officials insist that relocation in Vavuniya is on a purely voluntary basis, they also admit that IDPs were not given a choice as to the site of relocation. Civil administration had to obtain authorisation for relocating families on sites North of Vavuniya from the MOD. The official rationale for relocating families North of Vavuniya is that those locations are close to the town and the soil is better for agriculture.

The Military officials interviewed stated that in selecting sites for relocation they take into consideration the security of civilians and do not favour places close to military installations and FDL (Forward Defence Line). However, they admitted that Tharanikulam and Maravanakulam relocation sites which are close to the FDL were exceptions stating that this was a crash relocation programme. They added that the military does not favour new settlements south of Vavuniya as they could become safehouses for the LTTE. Residents of the Veppankulam WC, Vavuniya, stated that they did not want to be relocated to Chettikulam, south of Vavuniya, which has a mixed population of Muslims and Sinhalese. According to them, their settlement into the area might create more problems for all concerned." (CPA October 2001, pp. 58-60)

### **Return of 46,000 Muslim IDPs displaced since 1990 to be approved by LTTE (February 2001)**

"The LTTE has discriminated against Muslims. In 1990 it evicted some 46,000 Muslims from areas under its control in the north. The LTTE also has expropriated Muslim homes, lands, and businesses, and threatened Muslims with death if they attempted to return to their homes before the conflict ends." (US D.O.S. February 2001)

"Approximately 75,000 Muslims lived in the northern province in 1990. In the third week of October 1990, quite unexpectedly the LTTE ordered the Muslims of the northern province to leave their homes within 48 hours. The Muslims of Jaffna town were given only a two hour ultimatum to leave on 30th October. Helpless the Muslim minority who lived in more than 100 resettlements in all five districts of the northern province left their homes and became displaced when they moved into other areas within Sri Lanka.

During the last eight years, refugee camps have become homes for thousands of displaced Muslims. They were living in camps in Puttalam, Anuradhapura and Kurunegala districts. The dry rations worth around 1200 rupees for a family of five remains the main sources of their livelihood. The over-crowded camps for such over extended periods have demoralized the displaced people in many respects. From day one, they have been waiting for a suitable environment to return to their homes. But it has never been possible for them to do so for the last eight years.

Because, the ethnic war has been going on for more than 15 years now, Sri Lanka has experienced several mass exoduses from 1983 to date. Each violent incident is resulting in displacement. It is usually the weakest and the helpless who seek refuge in other places. The displaced people return home when the situation in the areas becomes 'normal'.

There is one distinctive difference with regard to the displaced Muslim when compared to many other displaced. For many of them, the process of displacement is a cycle which ends in resettlement in their original surroundings. For example, in June 1990 about quarter of the Jaffna peninsula population were displaced as a result of the war situation in the east according to the government statistics. In 1997, the total number of persons displaced in the eastern province according to the sources was 50,000.

This Applies to the Tamils, Muslims and Sinhalese in the eastern province and also the border areas of the north and east.

The reason is that when the causes of displacement such as army operations, militant activities, caused by wars are removed, people return to their homes. But for the displaced Muslims from the Northern province,

this was not the case. They left their homes because the LTTE asked them to move away from there. The LTTE has been and is still powerful in most of the northern province. So it is obvious that the Muslims who left the northern province in 1990 could not think of returning to their homes until the LTTE is weakened or the LTTE themselves ask the Muslims to return to their homes. This is why the past attempts of the resettlement of displaced Muslims in the 'cleared areas' have failed. It is only about five percent of the total Mannar Island Muslims displaced accepted the resettlement offer in 1992. The rest had chosen to continue to live in the camps hoping for a better situation in their home areas in order for them to return." (Hasbullah 31 May 1998)

See also: "[Government has built permanent housing for 18,000 Muslim IDPs \(February 2001\)](#)" [Internal link] and "[Return of long displaced communities to their home areas: is it viable ?](#)", Hasbullah, February 2000 [Internal link]

### **LTTE and Government forcefully resettle population as a war tactic (October 2000)**

- As a war tactic, both the LTTE and the GOSL have forcefully resettled populations. The presence of civilians has frequently been used by the two warring sides as buffers or human shields. Resettlement has also been practiced for war considerations in an effort to promote ethnic homogeneity and manipulate ethnic compositions in certain regions.
- LTTE wanted to secure their territorial gains in Vavuniya North, but they needed to direct their efforts and personnel to the strategic push for the Jaffna peninsula (under SLA control). Therefore, the LTTE encouraged the resettlement of civilians in the area. The rationale was that if the area was heavily populated it would restrain efforts by the SLA to regain control. As part of their plan, the LTTE approached CARE and other relief agencies.
- CARE has refused to accept military objectives to determine the movement of people.

"Most of the population of the northern regions has been forced to flee their homes at some point during the past 18 years of conflict. As a war tactic, both the LTTE and the GOSL have forcefully resettled populations. The presence of civilians has frequently been used by the two warring sides as buffers or human shields. Resettlement has also been practiced for war considerations in an effort to promote ethnic homogeneity and manipulate ethnic compositions in certain regions.

Today, much of the staff has been trained to be aware of instances in which CARE is requested, by either side, to assist with settlement and resettlement of IDPs. It is important to question whether the objective of the movement is a concern for their security, or a desire for long run solutions, or the conscious manipulation of ethnic compositions in a region. From a DNH viewpoint, supporting schemes that have the stated or unstated objective of creating ethnic enclaves contributes to dividers. They promote a mentality of distrust and the idea that populations of different ethnic groups can not mix and live together in harmony. For example, Tamils in the north do not interact with Sinhalese because today all Sinhalese have been displaced by the war to the South. After many years people forget that they were colleagues, neighbors and friends. The "other" becomes unknown and incomprehensible.

The DNH framework has also aided in detecting resettlement schemes by either side that may be cloaked as durable solutions when in fact they have a hidden military agenda. In November and December of 1999 the LTTE pushed further south the Forward Defense Line (FDL). It extended its control over Vavuniya North that had been for the past three years in the SLA's hands. This region was almost completely deserted as the inhabitants had left during the heavy fighting in 1996. The LTTE wanted to secure their territorial gains in Vavuniya North, but they needed to direct their efforts and personnel to the strategic push for the Jaffna peninsula (under SLA control).

Therefore, the LTTE encouraged the resettlement of civilians in the area. The rationale was that if the area was heavily populated it would restrain efforts by the SLA to regain control. As part of their plan, the LTTE approached CARE and other relief agencies. They explained that people would be returning to Vavuniya North and asked that agencies set up local offices there and begin projects so that people would be attracted to come back. CARE, in coordination with other agencies in the area, refused to support the resettlement plan. This would have exposed populations to a highly insecure environment as the area is infested with land mines. Furthermore, it would have sent the message that CARE accepts military objectives to determine the movement of people. Agencies laid down conditions for supporting resettlement which included clearance of mines and UXO as well as respecting land tenure patterns in the region." (CARE October 2000)

### **Limited return and resettlement due to lack of security and transport problems (July 2000)**

- Return and resettlement is limited due to lack of security, procedural problems and transport problems.
- Return programs promoted by the Government following the retake of Jaffna in 1996 faced important problems due to destroyed local economy and presence of mines.
- Families trying to resettle in the Vanni were concerned by lack of employment, education opportunities and food and medical supplies.

"Return of IDPs to their homes is extremely limited due to the ongoing conflict and lack of security. The process of resettling IDPs is also very slow due to the lack of crown land and procedural problems. Moreover, those who wish to return to Jaffna, face transport problem as there are limited vessels operating along the route to Jaffna. Many IDPs are thus compelled to remain in welfare centres in Trincomalee.

After the Security Forces regained control of the northern Jaffna peninsula in early 1996, the Government of Sri Lanka promoted the return of the civilian population that had vacated the area during the fighting, and requested bilateral and multilateral support towards resettlement, reintegration and rehabilitation. The peninsula was affected by the presence of mines and UXOs, the local economy was fractured, with the majority of the micro, small and medium enterprises having been dissolved and capital assets destroyed. Unfortunately the economy of regions remained almost closed, with the movement of goods and persons to/from the peninsula severely restricted.

The failure to meet long-term needs applies to most displaced families in Sri Lanka. In the latest of an ongoing series of consultations carried out by Save the Children and Oxfam, families displaced from Jaffna, who had tried to settle in the Vanni, identified clean water, food and healthcare as pressing problems. But the majority of the families were also concerned about the lack of employment and education opportunities." (OCHA 6 July 2000, pp. 108-109)

## **Governments plans for resettlement**

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### **Government carries out rapid village assessments to identify the needs of returning IDPs (August 2002)**

- Rapid Village Assessment was conducted in the areas experiencing the greatest numbers of return, primarily in Jaffna, Kilinochchi, Mannar, Mullaitivu, Trincomalee, and Vavuniya Districts, where the majority of IDPs originated.

- The comprehensive IDP registration exercise will provide more accurate data on areas of intended return and expected numbers of individuals, including issues related to the lack of services, infrastructure, or other issues faced by IDPs upon return.
- The areas experiencing greatest return are in Jaffna and Kilinochchi Districts, with IDPs travelling from Mullaitivu.
- Government plans to resettle or relocate upward 200,000 IDPs in the next 12 months and all of them by the end of 2004.
- Two main obstacles to resettlement: landmines and post-conflict reconstruction
- Government wants a crash de-mining programme to enable the IDPs to resettle rapidly while UNDP envisages a 4 year programme.
- The government is lacking funds to get the post-conflict reconstruction programme started.

"The Rapid Village Assessment is a field-based exercise designed to obtain operational data about the sudden increased movement of IDPs. The survey captures basic indicators on population size, demographics, vulnerability, infrastructure, basic needs and protection issues. It was conducted in the areas experiencing the greatest numbers of return, primarily in Jaffna, Kilinochchi, Mannar, Mullaitivu, Trincomalee, and Vavuniya Districts, where the majority of IDPs originated. The survey has already reached more than 200 *Grama Sevaka(m)*<sup>2</sup>, but the process will be refined and continued, to provide a more comprehensive coverage of IDP return areas. The comprehensive IDP registration exercise will provide more accurate data on areas of intended return and expected numbers of individuals, including issues related to the lack of services, infrastructure, or other issues faced by IDPs upon return. The Rapid Village Assessment provides this information, but its coverage is uneven, providing a snapshot of areas experiencing the greatest numbers of returnees but not a complete picture. It can be used to prioritise areas for planning at the division level, and indicate areas that require more in-depth investigation by sector.

The data collected through the Rapid Village Assessment indicates that the areas experiencing greatest return are in Jaffna and Kilinochchi Districts, with IDPs travelling from Mullaitivu. Mines and UXO present problems to resettlement. While the majority of IDPs seem to be regaining their property rights, there is considerable destruction to original housing and facilities, the greatest destruction in Mullaitivu and Kilinochchi. Food rations are being distributed in most areas. The most critical immediate areas of need are therefore mine action and protection, and once the most elementary needs for clean water, food, education and shelter are satisfied, returned IDPs will turn their attention to securing their livelihoods on a more sustainable basis, so that they can begin to rebuild their homes and communities." (Government of Sri Lanka & UN 23 August 2002, p. 9)

"The new government of Prime Minister Ranil Wickremesinghe is developing an ambitious plan to resettle or relocate upwards of 200,000 IDPs in the next 12 months, and the remaining IDPs and refugees within the following two years. The government's plan is based on the belief that resettlement of the displaced population is central to restoring social and economic normalcy and, therefore, to resolving the political conflict. In fact, the new government relaxed security restrictions at the beginning of this year and IDPs have already begun returning to their areas of origin to check on their homes, most of which have been destroyed. Implementation of the GOSL's plan faces two hurdles: landmines and post-conflict reconstruction.

A prime impediment to this population movement is the existence of extensively mined areas where the population will be returning, especially the Vanni and Killinochchi regions, and the Jaffna Peninsula. Existing de-mining capability in the country is inadequate to achieve the scale of de-mining required in the requisite time. UNDP and GOSL are discussing a comprehensive de-mining plan. However, there is a conceptual gulf between the UN experts and the GOSL. The UN recommends a four-year program designed to meet international humanitarian standards, while the GOSL believes that a crash program, with

admittedly lower standards of mine management, is necessary to expedite the peace process by enabling large numbers of IDPs to resettle quickly.

The GOSL's resettlement plan calls for extensive post-conflict reconstruction assistance to the relocating populace, including providing direct assistance to individuals (money for rebuilding homes, etc) and rehabilitating infrastructure (schools, clinics, etc). However, GOSL officials report that they don't have funds for this reconstruction. The current sources of economic assistance for the GOSL are primarily the Japanese government and UN aid programs.

Current UN plans for support to the GOSL are covered under the Sri Lanka United Nations Development Assistance Framework (UNDAF), issued in January of 2001. This well-designed program focuses on humanitarian assistance, though it does contain a section entitled "Anticipating Post-Conflict Challenges and Opportunities." It now risks being overtaken by events, as post-conflict reconstruction is now the government's priority, and will require revision with respect to the priority given to post-conflict reconstruction and the timing and scale of such assistance." (RI 4 March 2002)

### **Relocation programme for IDPs in the North (April 2001)**

- Special government-sponsored resettlement programmes will be launched in 2001 in Jaffna, Vavuniya and Mannar for IDPs living in Welfare Centers for a long time.
- A first batch of 1000 families living in WC in Vavuniya for more than 5 years have been identified for the resettlement programmes.
- A first batch of 340 families will be resettled in Mannar district.
- The Re-location Programme in Jaffna District will benefit 1813 families who were displaced from High security Zone and living in 48 Welfare Centres for more than 9 years.

"Families living in Welfare Centres for a very long period and unable to settle in their own habitats in the near future will be resettled through Special programmes developed for this purpose by the Hon. Ministers for Rehabilitation and Reconstruction of the North and Tamil Affairs of the North East. This programme is being undertaken with the blessings of Her Excellency who wants internally displaced families staying in Welfare Centres provided with houses and suitable environment to live in dignity within a familiar locality even though it may not be near to their original homes.

This Resettlement programme will be launched within this year in all three districts of Jaffna, Vavuniya and Mannar. RRAN has allocated Rs. 400 million for this relocation programme from its allocation for the year 2001. This in addition to the normal Resettlement Programme of settling internally displaced people. The status of the Resettlement programme are summarised below.

#### Vavuniya Districts

The Re-location Programme for the Internally Displaced Persons in Vavuniya was already reported in our January issue of RRAN NewsLetter. Now, it has gathered momentum and made rapid progress. Already, the following activities have been completed.

First batch of 1000 families to be re-located have been identified.

Three locations in Vavuniya District viz. Tharanikulam, Sundarapuram and Maravankulam have been identified.

Field surveys completed and Blocking out diagrams have been prepared.

Sites have been cleared.

Approach roads and internal roads are being done.

Work is in progress to dug tube wells and open dug wells so as to ensure supply of clean water.

All the selected allottees are living in Welfare Centres for more than five years, far away from their own habitat and the present resettlement site. Since they are presently living in welfare centres, it will be difficult for the IDPs to leave the welfare centres on a regular basis and provide unskilled labour to build their own houses.

In order to overcome this shortcoming, the housing project is being planned so that they could move into their allotment of highland with a built in house.

#### Mannar Districts

340 families in Mannar are to be re-settled in the First batch of which one hundred families will be settled in Madhukarai, Nanaddan Division. Two hundred and forty will be resettled in Musali Division (100 families in Maruthamadu and 100 families in Chilawathurai)

#### Jaffna Districts

The Re-location Programme in Jaffna District will benefit 1813 families who were displaced from High security Zone and living in 48 Welfare Centres for more than 9 years. Since no State lands are available in Jaffna district, the welfare centres were established in private lands on temporary basis. The land owners are objecting to make any improvements to in then land which is necessary structures or to improve their living conditions.

As the chances of going back to their original places in the near future are bleak, RRAN is considering to relocate these families with better facilities till such time they are able to go back to their original houses. This housing scheme will be the first of its kind in Jaffna. The housing complex will consist of permanent houses, pipe born water supply, toilets, community centre, pre-school, common playground, co-operative outlet, centre for income generation and training activities, telephones and various other common facilities." (RRAN April 2001)

"The overall policy of the Government is to resettle those who were displaced in their original places of residence. However, as this is not possible the Government has opted to consider area-based relocation, which means relocating those from Killinochchi and Mullaitivu in Vavuniya. The Government has proposed a crash relocation programme for Mannar and Vavuniya and a special programme for Anuradhapura and Welioya where relocation of all three affected communities are to take place. The relocation will be carried out with the consent of the displaced person who is to be relocated. There are three sites identified for relocation in Vavuniya. The cost for relocation will be borne by the Government who hopes to finish the programme within three or four months. Concern was expressed regarding the level of awareness of the displaced about the Government plans for their relocation and the locations chosen" (CHA February 2001)

#### **Lack of governmental assistance in resettlement of IDPs (October 2001)**

- Relocation and resettlement of IDPs has been hampered by the lack of assistance provided by the Government.
- Over 25% of the IDPs who have returned to Jaffna have received the resettlement cash of Rs. 5,000
- Government has failed to facilitate the return of IDPs by repairing infrastructures or housing.
- It is estimated that, as of 2001, 110,000 houses have been damaged due to the conflict.
- IDPs generally lack access to information such as safe time to resettle.
- IDPs are often reluctant to go back to their homes because of the threat of landmines and UXO

"Resettled families have not been provided with comprehensive assistance for their reintegration. The resettlement package offered to families is notoriously delayed or not paid. Only 86,000 of the 115,000 displaced people who have returned to Jaffna have been paid the resettlement cash of Rs5,000. IDPs themselves have been reluctant to resettle as a consequence of the rules of the resettlement package: the provision of free rations is terminated six months after receipt of the said package. In the face of an uncertain future, many IDPs prefer the security of dry rations.

Neither have the authorities facilitated the return of IDPs by repairing destroyed property and infrastructure, ensuring the existence of viable economic opportunities, vacating property occupied by the Armed Forces or clearing the mines in the lands affected by the conflict :

In Trincomalee, resettlements were done in a haphazard manner and without providing any basic facilities for the resettlers. Basic infrastructure, such as roads, schools, drinking water, electricity and transport were not restored prior to resettlement.

In Jaffna, in February 1999, about 5,600 people were living in welfare camps and could not return to their homes either because the buildings had been destroyed or they were within security zones. It is estimated that, as of 2001, 110,000 houses have been damaged due to the conflict. According to the CHA Newsletters, the rehabilitation work undertaken by the Government is inadequate. For Jaffna returnees, income-earning opportunities are minimal. The slow process of land allocations hampers farming and difficulties in marketing occur due to the economic isolation of the peninsula and the risks of land mines. Fishing is affected by security restrictions.

IDPs generally lack access to information such as safe time to resettle. Muslim refugees in Anuradhapura have to rely on the occasional traveller from Mannar to find out about the current state of their lands and houses.

IDPs are often reluctant to go back to their homes because of the threat of landmines and UXO. This is particularly so for those returning to, or displaced within, the Jaffna peninsula, where most of the country's 25,000 landmines are concentrated. In 1999, Lisa Hiller, the UNDP's public affairs officer pointed out that in the Jaffna peninsula, with a population of 500,000, there were approximately six landmine victims per month. According to the 'Venpura' association for the disabled, 6,158 children in Mullaitivu have been disabled due to landmines and air attacks, while in Killinochchi, 4,043 children and in Mannar, 1,254 children have been disabled due to the ongoing war. A survey conducted by the UNDP in 1998 before carrying out a comprehensive Mine Action Project in the Jaffna peninsula revealed that 1,800 persons had lost their legs due to mine blasts in the preceding six years. 1,448 of those maimed were males below the age of 30." (CPA October 2001, pp. 56-57)

### **Tamil United Liberation Front (TULF) opposes government resettlement plans in Jaffna (February 2001)**

"THE Tamil United Liberation Front (TULF) announced its opposition to government plans to resettle 70,000 families, displaced from around Kankesanthurai and Palaly military bases, in other areas of Jaffna. In a mid-February letter to President Chandrika, TULF leader V Anandasankari demands that the people must be resettled in their home areas. Government ally, EPDP claims that the resettlement is only a temporary measure. But people say a new road being constructed from Thellipalai to Kankesanthurai will prevent resettlement around the military camps.

The Jaffna government secretariat has announced that relief to internally displaced people will be reduced from 1 April. Some 35,000 families will be affected by the decision. There is consternation that relief is reduced while no action has been taken against six Grama Sevakas (village headman) who were involved in

corruption in the provision of relief to refugees. Senior government officers are also implicated in a Rs 4.9 million (\$57,000) corruption scandal. Meanwhile, the Jaffna hospital suffers from lack of equipment and shortage of over 30 types of medicines. In February, two deaths occurred in the hospital because of lack of equipment." (SLM February 2001)

### **Government has built permanent housing for 18,000 Muslim IDPs (February 2001)**

"The Government has sought to resettle the displaced where possible and has arranged for a number of those from Jaffna to return to their homes. Some attempts at resettlement proved successful. Over the years, the Government, in cooperation with the UNHCR, built permanent housing for 18,000 Muslims in the Puttalam area. However, many of the resettled were displaced again by further fighting, including those who in 1999 returned to their homes north and east of Vavuniya, but they were forced to flee again when the LTTE retook the area starting in November 1999." (US D.O.S February 2001)

See also: "[Return of 46,000 Muslim IDPs displaced since 1990 to be approved by LTTE \(February 2001\)](#)" [Internal link] and

"Return of long displaced communities to their home areas: is it viable ?", Hasbullah, February 2000 [Internal link]

## **Obstacles to return and resettlement**

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### **Occupation of land by government forces and LTTE hampers return of IDPs (November 2002)**

- Many people in the North remain IDPs because their property has been taken over by the LTTE or government forces.
- In addition, property owners are not allowed to live within the vicinity of areas declared as High Security Zones (HSZ)
- Rent is sometimes paid by the military to the owners.
- In the Jaffna peninsula the HRC regional office mediates between the owners and the SLA, however the HRC regional offices do not have the mandate to mediate in instances where the LTTE is the party occupying
- LTTE pays rent to some owners while some property has been taken over by force.

"A considerable proportion of property has been taken over by the LTTE and the government forces and the police in different parts of the North. As a consequence of this many people are unable to return and therefore continue to remain IDPs. The Jaffna peninsula has a heavy military presence and consequentially a large proportion of land is occupied by them. Property owners are not allowed to live within the vicinity of areas declared as High Security Zones (HSZ). However as at present access to the property in some areas within the HSZ is granted to the owners by the government for "go and see visits". One such instance is where the Sri Lanka Army (SLA) provides transport and security to devotees of the Kovils within the Palali HSZ.

It was learnt that the SLA has become more accommodating and wherever possible have vacated the premises to enable the return of the owners. However before handing over the property to the owners the SLA checks the documents to verify ownership. The policy of the government with regard to rent seems to be ambivalent. From what was gathered through interviews rent is paid for business premises occupied by

the forces as a policy while rent is paid only for some houses. Rent is clearly not paid for those houses that lie within the HSZ but not occupied by the forces. There are certain instances where the SLA has agreed to pay rent to the owners for the houses that are occupied. However among those promised rent there are those who have not received rent due to the insufficiency of funds.

There are those people who do not want compensation in return for property nor rent but are adamant that they be given possession of their property which for them have sentimental value.

In the Jaffna peninsula the HRC regional office mediates between the owners and the SLA in a bid to get the army to vacate the property. On complaints being lodged by the owners the HRC speaks with the Commanding Officers to facilitate a quick return of property. Though it is not under the purview of the HRC where necessary they refer cases to Legal Aid Foundation and other legal officers to file action. However the HRC regional offices do not have the mandate to mediate in instances where the LTTE is the party occupying. It was further learnt that within the Jaffna peninsula there is a reluctance on the part of the lawyers to appear for the aggrieved where action is filed against the LTTE.

In Killinochchi and Wannai and other areas under LTTE control the LTTE is occupying state premises, business premises and private houses. LTTE occupation is in various capacities. LTTE pays rent to some owners while some property has been taken over by force. Especially in the Killinochchi, Mallavi, Mankulam and other towns some of the property taken over has been rented out by the LTTE to entrepreneurs. There is an instance in Killinochchi where the LTTE has taken over about 70 acres of coconut land from a private individual and is refusing to return it. The owner has no choice but to file action in the District Court, which is under LTTE administration. With regard to the issue a Lawyer in the Killinochchi courts was surprised that the LTTE has refused to hand over the property in question and was of the view that the owner had not approached the proper authorities. It was learnt that the LTTE through their offices too have taken steps to hand over property occupied by them to the owners." (Premaratne, Eranthi November 2002, pp. 3-4)

### **Conditions not yet conducive to large-scale return (August 2002)**

- Conditions are not yet conducive to large-scale organised IDP and refugee return because of landmines and UXO, and an inability to ensure the physical security and integrity of the persons returning.
- The main challenges include balancing the aspirations of diverse ethnic groups across the country, the landmine/UXO problem, the large numbers of easily available small arms and ammunition, the huge destruction of physical capital, and the relative lack of capacity to remedy this.
- Human rights concerns include the presence of armed forces occupying schools and other community assets that are yet to be fully vacated, abuses against civilians and the deep distrust and apprehension in some communities particularly in former conflict areas where Sinhala, Tamil and Muslim communities live in close proximity, and the plight of child soldiers.
- Government services in the North and East are often understaffed, and lack sufficient capacity to deliver substantial improvements to the population rapidly.
- The LTTE's Humanitarian De-mining Bureau (HDB) have complained that they have not received support from the UN or other international agencies and that the lack of resources is holding up resettlement of hundreds of thousands of people.

Source: UNHCR, 23 August 2002

"All segments of Sri Lankan society have suffered because of the conflict, but the greatest and most enduring anguish has been suffered by those who have directly lost their relatives and friends, homes and livelihoods, seen their communities destroyed, or been uprooted by force or fear. This explains why the establishment of an effective cease-fire immediately generated a significant spontaneous return movement amongst the IDP population. However, conditions are not yet conducive to large-scale organised IDP and refugee return because of landmines and UXO, and an inability to ensure the physical security and integrity of the persons returning. Consequently, it is critical to respond urgently and sufficiently to the continuous spontaneous returns, and to ensure that the rights and welfare of the people most directly affected by the conflict are protected.

Despite present uncertainty, the spontaneous return of over 100,000 IDPs clearly indicates that they are gambling on this 'last chance for peace', and also that they view the continued and expanded presence of the international community in former conflict areas as an assurance of security and a guarantor of peace. At this crucial juncture, timely response and support to returnees' needs are fundamental elements with which to build confidence in the peace process. Without demonstrable and well-publicised successes, there is a risk that people may lose faith in the peace process, lending strength to the minority who opposes it.

### **3.2 Peace-Building Challenges**

The main challenges include balancing the aspirations of diverse ethnic groups across the country, the landmine/UXO problem, the large numbers of easily available small arms and ammunition, the huge destruction of physical capital, and the relative lack of capacity to remedy this. An indirect cost of the conflict is the tendency towards increased violence in Sri Lankan society, manifest in politics, against women, amongst youth, within families, and self-inflicted as suicide.

Article 2.1 of the Cease-fire Agreement provides that 'the parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment'. Pending full implementation of the Cease-fire Agreement, human rights concerns include the presence of armed forces occupying schools and other community assets that are yet to be fully vacated, abuses against civilians and the deep distrust and apprehension in some communities particularly in former conflict areas where Sinhala, Tamil and Muslim communities live in close proximity, and the plight of child soldiers. Reintegration of former combatants and deserters, in situations where applicable, from both sides poses a major challenge, especially with very little funding available. Reintegration of vulnerable IDPs, both individuals and families, poses a great challenge as well.

At the same time the Government faces a variety of operational impediments in the delivery of humanitarian and more developmental assistance, in rehabilitating and reconstructing damaged and destroyed assets, and in promoting reconciliation. Government services in the North and East are often understaffed, and lack sufficient capacity to deliver substantial improvements to the population rapidly." (Government of Sri Lanka & UN 23 August 2002, p.8)

"Both the military and the LTTE are involved in clearing landmines in areas under their control. Jaffna, Kilinochchi, Mullaitivu, Mannar and Vavuniya districts are areas which have a large number of buried mines posing danger to the civilian population. These are also the home areas of most IDPs and asylum seekers. The Jaffna peninsula, particularly the southern Thenmaratchy area, is affected by landmines. According to reports, UNHCR officers in Jaffna have expressed the view that minefields created a serious problem.

The LTTE estimate that there are 1.4 million landmines in the Vanni alone and only 6% have been cleared. In March 2002, the World Bank, UNDP and the Sri Lankan government signed an agreement for release of \$1 million to strengthen UNDP's landmine action project.<sup>19</sup> The UN has estimated that more than 500 people have been injured by landmines since 1995 and an average of 15 new victims are reported each month.

The LTTE's Humanitarian De-mining Bureau (HDB) have complained that they have not received support from the UN or other international agencies and that the lack of resources is holding up resettlement of hundreds of thousands of people. As a result, they say, that they are focusing only on some areas currently identified for refugee resettlement and have to ignore large areas. The Sri Lankan government has entered into an agreement with the US, who have deployed a Quick Reaction De-mining Force (QRDF) in Army-controlled Sarasalai. Head of QRDF, Don Smith says that it will take at least five years to remove all the landmines in the peninsula. The HDB estimates that the area around the Elephant Pass military base has 1,400 landmines per kilometre of defence lines. People returning to their home areas face danger from the mines and many have suffered serious injuries. Kanthasamy Sivathas, 16, was injured by a landmine at Meesalai on 14 May. He was one of several landmine victims in May." (BRC July 2002, pp. 12-13)

### **IDPs unable to resettle because of military high security zones (July 2002)**

- Security forces are required to hand over civilian buildings occupied by them before 2 August in terms of the ceasefire agreement.
- Following demonstrations by the people, the Defence Ministry announced that the HSZ will be reduced from 1,000 metres around military camps in western Valikamam to 200 metres
- Defence Secretary Fernando visited Jaffna on 20 July to assess the situation. After inspecting Valikamam and Thenmaratchy and holding talks with MPs and local officers, Mr Fernando announced that a final decision regarding resettlement in Valikamam North will be taken by the Prime Minister.

"In a letter to Defence Secretary Ostin Fernando in July, Tamil MP Gajendran Ponnambalam says that the Army is declaring the areas it is vacating in the north-east as high security zones (HSZ). As a result, in areas such as Mirusuvil and Palai in Jaffna's southern Thenmaratchy region, displaced people are unable to resettle. The security forces are required to hand over civilian buildings occupied by them before 2 August in terms of the ceasefire agreement.

The Chavakachcheri regional council wrote in early July to Jaffna commander Sarath Fonseka, asking him to permit fishing in the Kilali region in southern Thenmaratchy. This area has also been declared a HSZ. Around 600 families are suffering because of the ban on fishing.

Reports say that the Army also declared the coastal area of Amban, north-west of Nagarkovil, as a HSZ on 6 July. The Army is occupying the local hospital and several government buildings. Apart from Palaly, and Mandaitivu Island, the areas from Columbuturai in Ariyalai eastwards to Thanankilappu and areas from Eluthumadduval northwards to Nagarkovil are HSZs. The coastline occupied by the Navy also remains a security zone.

Following demonstrations by the people, the Defence Ministry announced that the HSZ will be reduced from 1,000 metres around military camps in western Valikamam to 200 metres. The Navy said in late July that resettlement will be allowed beyond 200 metres from the perimeter of the HSZ on Mandaitivu Island. Fishermen will be allowed to go to Palaitivu and Iranaitivu Islands, south of Jaffna town, after obtaining a permit, but they are prohibited from visiting Kalmunai, south of Jaffna.

Local people demonstrated on 16 July at Velanai demanding opening of roads and submitted a petition to the Sri Lanka Monitoring Mission (SLMM), which is tasked with monitoring ceasefire violations. Thousands of students from 17 schools staged a demonstration on 26 July, demanding the Army to vacate schools occupied in Thenmaratchy.

At a meeting with the Prime Minister on 16 July, the Tamil National Alliance complained about difficulties faced by displaced people in resettling in western Valikamam and southern Thenmaratchy. They claim that

the Army is strengthening its structures in Thenmaratchy. The Army says people can farm in some areas of Valikamam but cannot build houses or reside in the areas in the nights.

On the instructions of the Prime Minister, Defence Secretary Fernando visited Jaffna on 20 July to assess the situation. After inspecting Valikamam and Thenmaratchy and holding talks with MPs and local officers, Mr Fernando announced that a final decision regarding resettlement in Valikamam North will be taken by the Prime Minister. The military is occupying an area of 25 sq miles in Valikamam North, which contains Kankesanthurai Army camp and the Airforce base in Palaly." (BRC July 2002)

## HUMANITARIAN ACCESS

### General

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#### **Army and LTTE obstruct humanitarian access (October 2001)**

- Army and MOD obstruct humanitarian access to the Vanni.
- LTTE has reportedly intercepted food convoys.

"There are many reports of obstructions of movement of those engaged in humanitarian assistance by the Army and of delays in obtaining MOD authorisation:

In November 1999, MSF stated that approval given by Colombo for supplies to the Vanni had been blocked in Mannar and Vavuniya by the local commands.

In February 2000, the Human Rights Commission coordinator, Vavuniya, complained of impediments and of being asked repeatedly to obtain short term passes.

In April 2000, the Human Rights Commission Coordinator was refused entry by the anti-subversive unit to visit detainees.

In April 2000, and despite warnings of a humanitarian crisis, MSF was prevented twice from transporting drugs and medical supplies through the military defence lines to Malavi Hospital in Mullaitivu. The ICRC spokesman stated in April 2000 that 45 MOD approved drug items which were due for the Vanni were reduced to 14 items by the Vanni Security Forces Headquarters and their quantities were reduced.

In July 2000, the Army refused to allow an ambulance presented by UNICEF into the Vanni. Although the Defence Ministry has granted permission for three ambulances to Vanni hospitals, the Army had blocked the delivery of the vehicles.

In early January 2001, despite assurances given by Social Services minister Milroy Fernando that flood victims in LTTE and Army areas would be treated equally, the Army denied permission to Social Services officers to enter LTTE-controlled Vaharai area to assist civilians who had been badly affected by the December cyclone. MSF also was not allowed to assist those in the uncleared affected by the cyclone. The Ministry of Northern Rehabilitation claims it could not intervene as the decision was taken by the MOD.

In April 2001, both MSF Holland and ICRC were prevented from bringing in any medical supplies in the Vanni.

The LTTE has also been accused of obstructing the work of humanitarian staff:

In April 2000, the LTTE "pass office" in Malavi began charging a fee of Rs 100 for "exit permissions" for all local staff of international organisations travelling out of the Vanni.

Lorry drivers delivering food to the uncleared admitted that the LTTE robs the lorries of kerosene and diesel on the approach to Madhu. Food and other items meant for the displaced may also be intercepted by the LTTE." (CPA October 2001, pp. 53-54)

## NATIONAL AND INTERNATIONAL RESPONSES

### Coordination

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#### **Need to fine-tune existing coordination arrangements between national and international actors (April 2002)**

- Sri Lanka has a monolithic governance structure and there often appears to be limited coordination between line ministries.
- There are three other separate ministerial portfolios for IDPs, one responsible for the Vanni, and one each for the east and the north.
- There is need to fine-tune existing coordination arrangements between national and international actors, especially at district levels where MRRR's responsibilities are vested in the Government Agents.
- In the absence of a Humanitarian Coordinator, UNHCR has been the focal-point agency for IDPs.
- As the needs change in response to the peace-process, there is growing interest within the Country Team in reverting to IASC-endorsed mechanisms for IDPs under the umbrella of the Resident Coordinator.
- An IDP Working Group including ICRC and the MRRR should be established under the RC and guide the UN system's future response to IDPs and ensure that there is a seamless transition from humanitarian support to rehabilitation and recovery.
- The need for NGO involvement will likely increase and it is essential that NGOs make the mental leap from short-term humanitarian to medium- and longer-term reintegration and recovery interventions.

#### ***National actors:***

Much needs to be done by MRRR to ensure better coordination within government. Sri Lanka has a monolithic governance structure and there often appears to be limited coordination between line ministries. Yet, the crosscutting nature of IDP issues requires close inter-ministerial cooperation. In addition, there are three other separate ministerial portfolios for IDPs, one responsible for the Vanni, and one each for the east and the north. The current restructuring of MRRR should provide it with the necessary teeth to effect good coordination on IDPs at all levels of government.

UNHCR has established a close working relationship with MRRR. However, there is need to fine-tune existing coordination arrangements between national and international actors, especially at district levels where MRRR's responsibilities are vested in the Government Agents. It is significant that the MRRR recognizes these needs and current shortcomings and is attempting to address them.

#### ***Humanitarian and development actors:***

With respect to the UN system, and in the absence of a Humanitarian Coordinator, UNHCR has been the focal-point agency for IDPs. This system has worked efficiently as long as the UN system's principal focus was on humanitarian assistance and protection. However, as the needs change in response to the peace-process, there is growing interest within the Country Team in reverting to IASC-endorsed mechanisms for IDPs under the umbrella of the Resident Coordinator. It is proposed that a dedicated IDP Working Group, made up of all relevant actors, including ICRC and the MRRR, be established under the RC. Such a Working Group will guide the UN system's future response to IDPs and ensure that there is a seamless transition from humanitarian support to rehabilitation and recovery. In so doing, it will be essential that

other development actors, such as the World Bank and the Asia Development Bank, also be fully included in such coordination arrangements.

Coordination at the capital level must be underpinned by adequate structures at the field level. To date, UNHCR and UNICEF have a well-developed field presence. However, there is a need for other key actors to also extend their presence. UNDP's field presence is especially important if the necessary humanitarian-recovery linkages are to be strengthened. A timely implementation of its umbrella project for the eight war-affected districts, and the associated mine-action programme, will be a much-welcomed complement and additionality to the UN-system's field presence.

There are a number of NGOs dealing directly with IDPs, especially national NGOs and community based organizations. However, the need for NGO involvement will likely increase and it is essential that NGOs make the mental leap from short-term humanitarian to medium- and longer-term reintegration and recovery interventions." (IDP Unit April 2002, pp. 12-14)

### **Coordination mechanisms of the international response (July 2000)**

- RC responsible for coordination of international response to internal displacement.
- Interagency cooperation at the Colombo level is mainly conducted through the Relief and Rehabilitation Theme Group (RRTG), which includes IDP-related UN agencies and is chaired by the UN RC
- UN developed a Joint Framework for UN Cohesive Programming in Relief and Rehabilitation to better guide UN action.
- UN agencies and National NGOs involved in the assistance to IDPs, meet regularly at the Colombo based Consortium of Humanitarian Agencies (CHA)
- Monthly meetings of the UN agency heads as well as monthly NGO-donor forums are convened by the resident coordinator.
- Need for increased collaboration in the provision of humanitarian assistance, emergency relief, resettlement, rehabilitation and development.

"In Sri Lanka, the Resident Coordinator (RC) is responsible for the coordination of the international response to the needs of IDPs. The UN agencies, together with international and local organisations, support and complement the efforts of the Government towards providing humanitarian assistance to IDPs or initiate rehabilitation processes. The UN Country Team, under the leadership of the RC, seeks to support the Government in exercising its responsibility.

The Relief and Rehabilitation Theme Group (RRTG) is the main unit for inter-agency cooperation and coordination at Colombo-level. Members of this group are the Heads of the UN Agencies directly concerned with the conflict in Sri Lanka (UNHCR, UNDP, WFP, UNICEF, WHO, FAO, UNFPA, World Bank). The group is chaired by the RC and supported by the Humanitarian Advisor to RC. The RRTG is a mechanism that helps with information-sharing, joint assessments of the humanitarian situation in Sri Lanka, maintaining an adequate level of emergency preparedness, jointly addressing sensitive issues, and promoting collaborative and complementary programming in the areas of relief, rehabilitation and recovery.

During the course of 1999 the UN agencies initiated a process towards establishing a "Joint Framework for UN Cohesive Programming in Relief and Rehabilitation". The objective of this initiative was to define some principles to guide UN action and programming in the conflict affected areas of Sri Lanka and define institutional and coordination arrangements at Colombo and field levels for ensuring coherence among the UN entities and with partners. The above process focuses on team building complementarity and the

importance of developing a UN culture in addition to the existing culture of individual agencies. UN speaking with one voice on matters of advocacy and common interest was stressed.

As an outcome of the above process a UN Inter-Agency Working Group on Relief and Rehabilitation was created, comprising off a core team of professionals / programmers whose agencies are members of the Relief and Rehabilitation Theme Group (RRTG). The Members of the Working Group share responsibility towards implementing decisions made by the Agency Heads in relation to the “Joint UN Framework for Programming in relief and rehabilitation”. The Working Group plays a role in providing operational and programme level input coming from the field into the RRTG – in a bottom-up approach. The Working Group expands, on one hand, on the deliberations of the Relief and Rehabilitation Theme Group (RRTG) and on the other hand makes recommendations to the RRTG.

In addition, UN agencies in Sri Lanka have established the system of “UN Focal Point”, in areas where more than one agency is operational. The UN Focal Point is designated by the RC in consultation with other agencies among senior UN international staff of UN agencies. The UN Focal Point plays a representation, information and coordination role.

Following a suggestion of the representatives of EU member-States in Sri Lanka, a new Donor Working Group on Relief and Rehabilitation was established at the end of 1999, facilitated by the UN. The Humanitarian Adviser to the UN RC is the facilitator to the Group.

UN agencies and National NGOs involved in the assistance to IDPs, meet regularly at the Colombo based Consortium of Humanitarian Agencies (CHA). Various fora have been set up, such as the 'Northern Group' and the 'Eastern Forum', for NGOs and UN agencies to interact." (OCHA 6 July 2000, pp. 103-104)

"Multiple coordination mechanisms have been established by the UN agencies and NGOs to increase coordination among all agencies in Sri Lanka. The resident coordinator convenes monthly meetings of the UN agency heads and the monthly NGO-donor forum. A humanitarian adviser, working under the resident coordinator, has been recruited. This officer is responsible for advising the UN country team in Sri Lanka on humanitarian issues related to the conflict and preparing analytical reports that identify gaps and opportunities for the overall provision of humanitarian assistance.

An Inter-Agency Working Group has begun work on a common country assessment (CCA), providing the basis for a UN Development Assistance Framework (UNDAF), when Sri Lanka is selected to prepare one, and identifying the need for more coordinated efforts to address the challenges facing the war-affected north and east. The UN System Relief and Rehabilitation Framework identified the need for increased collaboration in the provision of humanitarian assistance, emergency relief, and in support of resettlement, rehabilitation and development.

In 1998, a Letter of Intent for resettlement activities in the Jaffna peninsula was signed by UN agencies, including FAO, UNDP, UNFPA, UNHCR, UNICEF and WFP. The letter outlines the activities of each agency in the context of responding to an appeal from the government.

Almost every agency, both in Colombo and in the field, expressed the need for increased cooperation. In brief, there is a widespread perception among the agencies that coordination is an issue that requires further attention." (WFP July 1999 p.46)

## **National response to internal displacement**

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### **Peace talks result in the establishment of 3 sub-committees to address the IDP issue (November 2002)**

- The IDP issue was central to the discussions held in Thailand between the Government of Sri Lanka and the LTTE in Oct-Nov 2002.
- The Sub-Committee on Immediate Humanitarian and Rehabilitation Needs in the North and East (SIHRN), which deals primarily with IDP issues, consists of 4 members selected by the Government and 4 by the LTTE
- The other two sub-committees, focussing on Military De-escalation and Normalisation and Political Matters, will also be responsible for addressing some IDP-related issues (such as housing in the high-security zones).
- In September it was decided that a National Steering Committee on IDPs and a National Steering Committee on Voluntary Repatriation would be formed and would report to the Implementation, Coordination and Capacity Building Working Group.

"The second session of the first round of peace talks between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) took place at the Rose Garden in Thailand from 31 October - 3 November 2002. The parties demonstrated a positive and conciliatory approach to discussing a wide range of issues, and, once again, a heavy emphasis was placed on issues affecting Internally Displaced Persons (IDPs).

The parties agreed on immediate measures aimed at improving the security situation, inter-ethnic co-operation and respect for human rights in the North and East. In order to ensure that sufficient attention is concentrated on the broad range of issues, three new sub-committees were established. It is not yet clear how the sub-committees will operate in conjunction with the National Co-ordination Committee for Relief (NCCR).

The *Sub-Committee on Immediate Humanitarian and Rehabilitation Needs in the North and East* (SIHRN), which deals primarily with IDP issues, consists of 4 members selected by the Government and 4 by the LTTE. The delegations are led by Ambassador Bernard Goonetilleke, Director General of the Secretariat for Co-ordinating the Peace Process and Mr Thamilchelvan, Leader of the LTTE Political Wing. The other two sub-committees, focussing on *Military De-escalation and Normalisation* and *Political Matters*, will also be responsible for addressing some IDP-related issues (such as housing in the high-security zones).

The first meeting of the SIHRN took place on 18 November in Kilinochchi, with future talks scheduled for 15-16 December 2002 and 15-16 January 2003. The Secretariat to the sub-committee is set to commence work at the December meeting, and procedural guidelines and the financial structure of the Secretariat have now been established. The SIHRN will report to the second round of peace talks, to take place in Oslo from 2-5 December 2002." (UN Inter-Agency IDP Working Group 28 November 2002, p. 1)

"The second meeting of the National Coordinating Committee for Relief, Rehabilitation and Reconciliation took place on 12 September. At this meeting the following three people were appointed: Mr. S. Sivathanan as Commissioner for the Strategic Planning and Mobilisation of Resources Working Group; Mr. W A S Perera as Commissioner for the Implementation, Coordination and Capacity-Building Working Group; and Major General (retired) Kolopahan as the Commissioner for the Reconciliation and Communications Working Group. At this meeting the Commissioner General confirmed that both a National Steering Committee on IDPs and a National Steering Committee on Voluntary Repatriation would be formed and would report to the Implementation, Coordination and Capacity Building Working Group. On 30 September, 2002 the first meeting of the National Steering Committee took place with emphasis placed on the need to further deliberate the criteria for assistance to IDPs, in particular the Unified

Assistance Scheme (UAS). The committee is currently soliciting input from members." (UN Inter-Agency IDP Working Group 17 October 2002, p. 1)

### **Government to provide a Unified Assistance Scheme to returning IDPs (November 2002)**

- Due to fiscal constraints only a very limited number of returning IDPs or refugees has received the full amount of the government's Unified Assistance Scheme (UAS) so far
- Donors have pledged approximately US\$30 million that will be earmarked to finance the Rs 15,000 start-up portion for returnees throughout Sri Lanka.
- Funds will be provided through the Treasury, to the North East Provincial Council, who will assume responsibility for disbursement through either the District / Divisional Secretary or NECORD.
- The UAS will only be distributed as a financial grant, and not in the form of in-kind materials.
- Implementation of the UAS scheme is planned to commence on 1 December 2002.

"At present under the Unified Assistance Scheme (UAS) the Government offers a Rs 15,000 start-up grant for returning IDPs and refugees to acquire basic tools, inputs and temporary shelter to restart productive livelihood. It also includes an additional Rs 50,000 grant for permanent housing allowance. However, due to fiscal constraints only a very limited number of returning IDPs or refugees has received the full amount. The Government has now received indications from donors, which allow approximately US\$30 million to be earmarked to finance the Rs 15,000 start-up portion for returnees throughout Sri Lanka.

Despite the varying needs and experiences of IDPs, it has been necessary to establish common criteria to determine eligibility for UAS support, as well as basic principles to ensure equitable and appropriate distribution of funds. These basic principles should include guarantees that all IDP/refugee returns are voluntary, in safety and dignity; community-based benefits should be visible; distribution should be equitable, transparent and without corruption; UAS should be available only to those who have returned and demonstrated an intention to stay; and finally UAS should not, in any way, be subject to taxation or other reductions by authorities.

#### ***Delivery of UAS***

The method of disbursement of the funds is designed to ensure equitable and fair practice, and to minimise corruption. Funds will be provided through the Treasury, to the North East Provincial Council, who will assume responsibility for disbursement through either the District / Divisional Secretary or NECORD. Funds will be issued into the bank account of the beneficiary, except in cases where bank and post offices are not available.

The list of eligible returnees will be provided by the newly formed Village Rehabilitation Committees (VRCs) and forwarded to the Divisional Secretariat for approval. The approved list will be passed to the NECORD District Office for payment into the bank/post office account. The system would be established so that the family, not just a single member of the household, has access to the funds, for example through the establishment of a joint account. The UAS will only be distributed as a financial grant, and not in the form of in-kind materials.

#### ***Monitoring of UAS Distribution***

At the request of the national authorities, donor countries and agencies, UNHCR has agreed to monitor implementation of the UAS. To effectively carry out this role, UNHCR will have full access to lists of

eligible candidates and those that applied but were deemed ineligible for assistance, at VRC/DS and RECORD levels.

Implementation of the UAS scheme is planned to commence on 1 December 2002." (UN Inter-Agency Working Group 28 November 2002, p. 3)

### **Govt establishes the Ministry for Rehabilitation, Resettlement and Refugees (MRRR) to find medium long-term solutions for IDPs (April 2002)**

- Government has created a Ministry for Rehabilitation, Resettlement and Refugees (MRRR) to elaborate medium and longer term solutions to the IDP problem.
- MRRR has initiated a comprehensive registration of all IDPs. The registration is to provide an update on numbers as well as a comprehensive census of IDP characteristics, desire to return or willingness to relocate, or their intent to integrate into areas of displacement.
- As a first priority, the MRRR is committed to finding durable solutions for the 175,000 IDPs living in the government welfare centers.
- Shortfall in resources is a major limiting factor for the ministry.
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"Throughout the conflict, successive Governments have accepted full responsibility for internally displaced population, albeit with some assistance from the international community. However, as the peace process moves forward, and there is a concomitant shift from care and maintenance to durable solutions, the GSL's IDP policy and response strategy is in need of reorientation to medium- and longer-term durable solutions.

To this effect, the Government, for the first time, has created a Ministry for Rehabilitation, Resettlement and Refugees (MRRR) to meet this challenge. In order to optimize its policy and strategic planning, MRRR has initiated a comprehensive registration of all IDPs. The registration is to provide an update on numbers as well as a comprehensive census of IDP characteristics, desire to return or willingness to relocate, or their intent to integrate into areas of displacement. The registration is to be completed by the end of April and the analysis by the end of May. The exercise is being undertaken in close cooperation and with the support of UNHCR, which is also monitoring its implementation.

The MRRR's position is that all IDPs have the same rights, should be treated equally, and should be afforded the same opportunities to find solutions. It remains to be seen, however, the reactions that local communities will have when confronted with returnees or relocated IDPs of different ethnic background. Therefore, activities aimed at fostering reconciliation and peaceful co-existence are required and will have a significant impact on the peace building process.

As a first priority, the MRRR is committed to finding durable solutions for the 175,000 IDPs living in the government welfare centers. Further, it recognizes that existing administrative structures at district and local levels need to be strengthened and that coordination must be improved if it is to effectively implement its IDP strategy. However, shortfall in resources is a major limiting factor for the ministry.

The recent rapprochement between the GSL and the international community, demonstrated by its request to the UN Secretary General for a high level assessment of socio-economic development needs that should underpin the current peace process is very encouraging." (IDP Unit April 2002, pp. 4-5)

### **Government and UNHCR to collect data on IDPs and refugees (February 2002)**

- An agreement was signed on February 25 between the government and UNHCR to collect data on IDPs and refugees.
- The aim of the agreement is to collect details on displaced persons in order to make arrangements to settle the displaced in their original homes and villages.

"Sri Lanka Monday entered into an agreement with the United Nations High Commissioner for Refugees (UNHCR) to collect data of persons displaced due to the minority ethnic conflict.

The agreement came after a ceasefire between the Sri Lankan government and Tamil rebels came into effect under a Norwegian backed peace process aimed at ending the country's minority ethnic conflict. Under the agreement with the UNCHR details of all displaced persons will be collected with the aim of making arrangements to settle the displaced persons in their original homes or villages, Rehabilitation and Resettlement minister Dr. Jayalath Jayawardena said.

At least 750,000 rpt 750,000 displaced by the conflict in the north and eastern parts of the country are living in refugee camps, with friends or relations or otherwise on their own outside the conflict areas. More than 150,000 refugees are living in neighbouring India while over one million more are in other countries - mainly in western nations." (DPA 25 February 2002)

### **Lack of a governmental framework on displacement (October 2001)**

- No comprehensive policies or guidelines on displacement
- Allocation of ministerial areas of responsibility appears to be driven by political motives, such as securing a vote base.
- IDP populations and some IDP issues fall outside the ambit of any ministry.
- Administrative practices and departmental policies applied to IDPs are on the one hand subject to whimsical changes, while on the other not adapted to reflect the changing conflict situation
- Displaced families are unaware of their rights, entitlements and of which Department or Body to approach in order to voice their legitimate grievances and obtain redress

"Without doubt the most worrying concern is the lack of a governmental framework on displacement or of a clear division of responsibilities among Government Departments and Aid Agencies.

No ministry has overall responsibility for the welfare of IDPs nor are there comprehensive policies or guidelines on displacement. Various departments, ministries and aid agencies are responsible for various aspects of relief, protection and assistance. The allocation of ministerial areas of responsibility appears to be driven by political motives, such as securing a vote base. For instance, the Ministry for Eastern Rehabilitation, whose mandate has been expanded to cover the whole island except the North, appears to be focussing most of its energies and funds, though by no means adequately, on areas with a predominant or large Muslim population, such as Puttalam and pockets of the Eastern Province.

Some IDP populations and some issues pertaining to IDPs fall outside the ambit of any ministry. This is the case, for instance, of the so called 'night time displaced Persons who spend their nights in the forests or with friends and relatives in other villages after dark in fear of LTTE attacks. ,' displaced villagers in the Eastern Province for whom no ministry is currently claiming full responsibility. The Social Services Department which runs programmes for the elderly, disabled, mentally ill and drug addicts, among others, does not extend its regular services to IDPs.

Administrative practices and departmental policies applied to IDPs are on the one hand subject to whimsical changes, while on the other not adapted to reflect the changing conflict situation. Thus, food

entitlements are currently being arbitrarily cut, while the Rs1,260 dry food ration entitlement per month for a family of five has not been increased since 1993 to match the rise in the cost of living. Decisions taken at Civil Administration level or at the Ministry of Defence in Colombo are commonly ignored or altered by the Local Area Army Commanders.

Neither are IDPs consulted or informed on policy changes which affect them most. Displaced families are unaware of their rights, entitlements and of which Department or Body to approach in order to voice their legitimate grievances and obtain redress." (CPA October 2001, p. 7)

### **Government's policy on distribution of food to IDPs (October 2001)**

- IDPs earning less than Rs. 1,500 a month are entitled to receive dry rations from CGES or WFP.
- Director of Social Services is the implementing partner of WFP.
- WFP does not provide assistance to IDPs in the uncleared areas, IDPs living in welfare centres in the uncleared areas, and IDPs living with relatives and friends are provided food rations by the CGES.
- Rs 1260 is the ceiling of government food assistance and applicable to families of 5 and more. IDPs entitled to CGES food assistance receive either cash or a ration card with coupons which they may exchange in Multi Purpose Cooperative Society outlets for food stuffs, or other items.

"The Government entitles IDPs earning Rs 1,500 or less a month to receive dry rations either from the Commissioner General of Essential Services (CGES) or from the United Nations' World Food Programme (WFP).

The Director of Social Services is the implementing partner of the WFP. The Department distributes WFP food assistance to IDPs in Welfare Centres in the cleared areas in six districts, namely Vavuniya, Mannar, Anuradhapura, Puttalam, Trincomalee and Ampara. The WFP undertakes projects in Jaffna since 2000. WFP dry food assistance to Polonnaruwa was withdrawn recently and skills training programmes introduced instead. The WFP however does not provide assistance to IDPs in the uncleared areas. IDPs living in welfare centres in the uncleared areas, and IDPs living with relatives and friends are provided food rations by the CGES.

The value of the CGES rations is as follows: Rs 1260 for a five member family per month; Rs 1008 for 4 members; Rs 840 for 3 members; Rs 610 for 2 members; Rs 336 for 1 member. Rs 1260 is the ceiling of government food assistance and applicable to families of 5 and more. IDPs entitled to CGES food assistance receive either cash or a ration card with coupons which they may exchange in Multi Purpose Cooperative Society outlets for food stuffs, or other items. In emergencies, the CGES may provide IDPs with a cooked meal at a cost of Rs 45 per adult and Rs 25 per child which may then be followed by dry rations. " (CPA October 2001, p. 35)

### **Government's policy on the provision of health to IDPs (October 2001)**

"Health care centres for IDPs are set up in consultation with the Ministry of Health. The nursing staff of these centres is permanent. However, the doctors only visit these centres. The Deputy Provincial Director of Health Services, Vavuniya, coordinates medical supplies to the uncleared.

Weekly clinics are held in the WCs and mobile medical teams visit the WCs regularly. Some WCs such as Poonthottam and Nellikulam have health centres. Regular ante-natal clinics are held. Midwives are part of the team which examines pregnant women. For each welfare centre two trained health volunteers have been appointed. Their duty is to monitor the situation in ante-natal cases as well as other health and sanitation

related issues. Regular immunisation and special programmes for women are held in the WCs." (CPA October 2001, p. 40)

### **Government's policy on the provision of shelter to IDPs (October 2001)**

"The CGES is responsible for providing shelters for displaced persons in WC in the form of individual huts or communal shelters and for the maintenance of those. Individual huts are constructed out of temporary materials, such as cadjan, and cemented floors. Funds are also supposed to be provided for re-thatching and repairs of huts. CGES – Packages of Assistance to Internally Displaced and Affected Persons, no date given

In Puttalam, over the years, the Government in cooperation with the UNHCR has built permanent housing for 18,000 Muslims in the Puttalam area." (CPA October 2001, p. 41)

### **Government policy on compensation for property losses (October 2001)**

"Under a RRAN scheme, anyone is entitled to claim compensation for damages to house or property. The general public is entitled to Rs 100,000 or 20% of the cost of the damage, whichever is less.

The Ministry of Northern Rehabilitation has asked the police and army occupying houses to pay rent to the owners but states that due to the present conflict the Ministry is not in a position to protect the properties of those displaced." (CPA October 2001, p. 44)

### **Government's policy on IDP voting rights (October 2001)**

- IDPs are allowed to vote in their actual place of residence for the district where they were registered prior to displacement, given special ballot boxes are made available.
- IDP voting rights seem to vary depending on the district of temporary residence of the displaced person.
- People not registered prior to displacement cannot do so after being displaced. Thus, children who turned 18 in the camps are excluded from voting.

"Following a 1988 Amendment to the Parliamentary Elections Act 15 of 1988, a displaced person can vote in her actual place of temporary residence for the district where that person was registered as a voter prior to displacement. For that purpose, special ballot boxes are made available in polling stations or if the number of such voters is large enough, a separate booth is set up.

According to Deputy Election Commissioner Arun Thavachelvam, IDPs can vote for the district where they are currently residing on request, regardless of whether they are receiving government assistance. Such a policy is contradicted by Vavuniya Assistant Election Commissioner Tiranagama Sampanthan who stated that only IDPs who have opted for and become permanent residents could register on the local electoral list. This would thus exclude IDPs in WCs or those receiving food assistance.

IDPs who were not registered as voters prior to displacement cannot be registered from the area where they are now residing. Neither will the children of such IDPs be registered when they turn 18.

The voters list is updated every June. IDPs who do not however appear on the electoral list can complain to the Election Commissioner or file a complaint to the District Court with a Rs 5 stamp.

Upon receipt of a complaint, the Assistant Commissioner should hold an inquiry. However, he/she has no mandate to enquire into non registration in other districts. In practise, there is no redress available for an IDP in Puttalam, for instance, if he/she is not registered due to a failure of the Puttalam officials.

Voting could not be organised in the uncleared areas for the last parliamentary elections though cluster polling stations were set up for voters living in areas bordering the conflict." (CPA October 2001, pp. 49-50)

### **Government's policy on IDP access to education (October 2001)**

"In August 1997, the Ministry of Education issued a directive instructing school principals to admit children without birth certificates. Nonetheless, children without a birth certificate are still not allowed to sit for exams or to represent their schools in sport or other events.

In 1998, the Ministry of Education waived the teacher exam qualifying score for those applicants willing to teach in schools with large number of IDPs for a specified period and awarded bonus points to volunteer teachers who subsequently applied for a regular teaching job, increasing the chances that volunteers would gain full time employment as teachers." (CPA October 2001, pp. 52-53)

### **Government's policy on rehabilitation and resettlement of IDPs (October 2001)**

"Earlier there were guidelines for rehabilitation and resettlement from the Ministry of Rehabilitation, where it was clearly stated that the resettlement plan was to be drawn by a group of four comprising security forces, government agencies, NGOs and representation from the beneficiaries. The guidelines were not followed.

A relocation/resettlement scheme was introduced in 1999.

RRAN – Resettlement and Rehabilitation Authority of the North

RRAN was established in 1996 and mandated to facilitate the resettlement and rehabilitation programmes in the 5 Districts of the Northern Province. This includes repairs, reconstruction or rehabilitation of dwelling places of returnees, places of religious, cultural or social activity, public utilities, civic amenities and public buildings. RRAN is further mandated to assist in the recommencement of economic or commercial activities.

According to the CHA Newsletter, RRAN has devised an emergency programme for resettlement and rehabilitation of the displaced people in Thenamaradchchi.

#### **Package of assistance for resettled and relocated IDPs under RRAN**

Resettled IDPs may register for assistance through the Divisional Secretaries and receive the following assistance :

- (1) Settling in allowance (SIA) Rs 2,000
- (2) Productive Entreprise Grant Rs 4,000
- (3) Agricultural Implements Rs 1,000
- (4) Temporary shelter with cement floor Rs 7,000
- (5) Permanent Housing Rs 25,000

Housing and business loans are available under RRAN, implemented by the Bank of Ceylon, People's Bank and National Housing Development Authority.

Housing loans :

- (1) Up to Rs 25,000 in addition to the Housing grant for families whose monthly income is below Rs 1,500
- (2) Up to Rs 50,000 for families whose monthly income is above Rs 1,500
- (3) Up to Rs 250,000 for families whose monthly income is above Rs 5000

Business loans :

Up to Rs 500,000. The maximum repayment period is 10 years and the interest rate is 9%.

### **Vavuniya & Mannar**

The current guidelines for government action with regards to relocation are as follows :

- (1) Areas of resettlement should be decided in consultation with the Security Forces Commander, Vanni.
- (2) Control measures on population could be implemented
- (3) The families should be provided with basic facilities
- (4) Package of assistance for resettlement should be provided
- (5) The families should be able to recommence their economic activities (UNHCR, CARE and DRC micro projects supplement government efforts)
- (6) The family should give consent for relocation/resettlement

An important relocation programme, initiated by the Ministry of Development, Resettlement & Rehabilitation for the North, is being undertaken in the Vavuniya and Mannar Districts.

It is programmed to relocate 3,650 families currently in Vavuniya WCs either in Mannar or Vavuniya. 200 families from WCs in Vavuniya, originally from Mannar, will be relocated in Mannar. The locations for the Special Relocation Programme in Mannar were selected by the Mannar GA. Priority is given to IDPs originally from those Districts.

For the first phase, now completed, 1,480 families were relocated in 3 locations, all north of Vavuniya town. A committee comprising the GA and Security Forces representatives decided on which families to relocate. Priority was given to IDPs of Vavuniya District, to large families, families which have lost the breadwinner, orphans living with relatives, those who have lost limbs and long term IDPs.

212 families (1415 persons) from the Welfare Centres were relocated in Tharanikulam in April; 280 families (1482) were relocated in Sundarapuram in July and 270 families were relocated in Maravankulam on 3 September. Vepankulam Welfare Centre and one of Poonthoddam Welfare Centre's units have subsequently been shut down. The remaining families are to be relocated in Vengalcheddikulam division, south of Vavuniya, in four locations, namely Maniyarkulam, Kandasamy Nagar, Pavatkulam Unit 10 and Menik Farm (Chettikulam).

The cost of the relocation is reportedly Rs 150,000 per family. Those families are provided with a small house and ¼ of an acre of land. They may not sell their land though it can be passed on to the next of kin. National NGOs (FORUT, Sewa Lanka Foundation, Rural Development Fund) have been requested to provide Income Generating Activities for these families. The families are to receive the Unified Assistance Scheme package as well as other basic facilities such as education and health. They also thereby become permanent residents of Vavuniya District.

### **Mannar**

The 'crash' relocation programme will not include Puttalam IDPs originally displaced from Mannar as their place of origin is currently in the uncleared. The return of Muslim IDPs is not encouraged. 30% of Muslims have however returned and are given dry rations and UAS package upon return.

300 displaced families currently in Mannar WCs will be relocated on 32 acres of land given to the Bishop.

50 families and 100 families have been resettled with government assistance on their own land in the villages of Thomas Puri and Suganda Puri respectively.

### **Jaffna**

'Every effort is taken to persuade Jaffna families now living in welfare centres and outside welfare centres to return to their homes and utilize the facilities provided in Jaffna.'

From May 1996 to 30 April 2001, 61,252 persons have returned to Jaffna through Trincomalee and Mannar by ship. Transport of returnees is provided free of charge.

A committee consisting of representatives of the Sri Lankan Army, Police and Civil administration was set up to consider the relocation or resettlement of long term WC residents. It identified families which could be relocated and recommended that cleared areas families should be sent back to their place of origin. The programme was not completed due to the reluctance of certain IDPs to go back to Jaffna.

### **Uncleared**

There is no resettlement programme in the uncleared as the Government's policy is not to send any development funds to those areas.

### **Eastern Province**

According to the Ministry for Rehabilitation of the East, residents of welfare centres have the option of relocation if they so choose. Relocation takes place in 'cleared' areas. The sites chosen for relocation depend on where the people are from and whether the village is considered as being safe. Land judged as being cleared automatically receives MOD approval. Whether this area is on the border area or not is not considered. The process of relocation is also open to the displaced who stay with friends as well as those who reside in the Welfare Centres.

IDPs are resettled on their previous lands or relocated in other areas. Before either of these two processes take place their approval is supposed to be obtained. The ministry is responsible for those wishing to relocate/ resettle and for providing housing and infrastructure.

The Ministry has come up with the concept of model relocation villages. There are 42 such villages around the country where the ministry provides housing, road infrastructure, electricity, common wells, toilets (3 families per toilet is the average ratio), a market, health care facilities, community centres, nursery and libraries. Earlier the houses in model villages were constructed with cadjan roofs, while their walls often varied from cadjan to brick. According to the Ministry, all the houses now have permanent roofs and permanent walls where possible. There is a cement floor, a minimum sq ft area and at least 1 privacy room is present.

Mrs Ashraff, who is also in charge of rural housing has tried to combine rural housing concessions together with the housing relief package. Earlier a family could get a maximum of Rs 37,000 in the relief package with Rs 25,000 being given for housing. The present aim is to incorporate an additional soft loan of Rs 25,000 into the package. This would increase the package to Rs. 50,000. A few model villages have already benefited from this scheme.

### **Puttalam**

According to the Ministry for Eastern Rehabilitation, a relocation programme was started five years ago whereby persons who wanted to permanently reside in Puttalam were given assistance to purchase land and build a house. Nine thousand such families have been relocated and resettled in Puttalam.

Four hundred families from Puttalam have returned to Mannar town from Puttalam and other Northern areas. Protection and other needs of these returnees are the responsibility of government agents of those districts.

### **Landmines**

The Government of Sri Lanka has not signed the Mine Ban Treaty , though it voted 'yes' to the pro-ban UN General Assembly Resolutions in 1996, 1997, 1998. Both the LTTE and the Government forces use landmines to demarcate their camps.

Landmines are often planted by the army in villages it captures in the uncleared areas and they are also planted in the no man's land between the cleared and uncleared areas.

An agreement between the MOD and UNDP to allow the UNDP to train local people in the North in mine clearing has not made headway." (CPA October 2001, pp. 60-63)

### **Government assistance to IDPs (November 2000)**

- Government assistance to IDPs is channeled through the Ministry of Rehabilitation, Reconstruction and Development of the Northern Region (RRAN).
- The RRAN coordinates the projects of international, national and local actors. The Government Agents allocate the IDP communities to individual NGOs and develop long-term solution to the IDP problems.

"The government of Sri Lanka assumes primary responsibility for protecting and assisting internally displaced as citizens of Sri Lanka. It performs this task through the Ministry for Rehabilitation, Reconstruction and Development of the Northern Region, which incorporates since March 2000 the Commissioner General for Essential Services (CGES) and the Resettlement and Rehabilitation Authority of the North (RRAN). The latter was created in 1996 to concentrate on rehabilitation and reconstruction and operated exclusively in the Northern Province." (UNHCR November 2000, p. 11)

"At the Government level the [...] Resettlement and Rehabilitation Authority of the North (RRAN) is involved in co-ordination of projects by other international, national and local actors. Moreover, the Government Agents play a crucial role in co-ordinating activities and host regular meetings with the other actors to discuss emerging needs, priorities and existing capacities and resources. In most Districts, the Government Agents allocate the IDP communities to individual NGOs, who then assume responsibility for identifying and when possible responding to emerging needs. It also falls upon the Government Agents to develop overall long-term plans for the solution of the Internally Displaced People's problems." (DRC May 2000, p. 12)

### **Historical overview of Government's assistance to IDPs : the Welfare Centres (September 2000)**

#### **"1983 - 1987 Internal Conflict and Welfare Centers**

**In 1983**, in an already tense climate of increased violence and on the eve of the District elections, anti Tamil riots broke out in urban centers like Jaffna, Colombo, Ratnapura and spread to the eastern province, where Tamils and their property came under attack. Indian Tamils from the tea estates came under attack and an estimated 15,000 fled to Vavuniya.

Major displacement took place between 1983 and 1985 and it is estimated that some 100,000 Tamils fled to India *Open Relief Centers : A Pragmatic Response to Relief and Monitoring during Conflict in a Country of Origin*, by W. D Clarence, former UNHCR Representative in Sri Lanka, April 1991..

The **Government approach** towards displacement underwent a radical change by recognising the need to set up welfare centers and institutions to deal with the issue of displacement. The function of Commissioner General for Essential Services (CGES) was created in 1983 to oversee the management of the welfare centers and provide assistance to the displaced. The first welfare centers were established in Colombo, Kandy, Nuwara Eliya and Vavuniya and were set up to offer a temporary solution for what was perceived at the time to be a temporary problem.

**Assistance policy:** The focus of assistance was on short term relief.

**Actors** included the Commissioner General for Essential Services (CGES) under the Ministry of Social Services was responsible for WFC management and assistance to displaced. This responsibility was shifted to the Ministry for Reconstruction and Rehabilitation and Social Welfare (MRR) as of 1985. NGOs like SEDEC and Sarvodya and charity organizations continued to play active role.

### **1987 - 1989 UNHCR and Repatriation from India**

**Mid - 1987** Indo-Sri Lankan Peace Accord was concluded.

The IPKF arrived in Jaffna to restore peace and law and order and to disarm the LTTE

**Caseload** : out of 134,000 refugees in India - only 43,000 return

**Government approach** : the GOSL invited UNHCR to co-ordinate the return and reintegration process

**Assistance policy** : between 1987 and 1989, UNHCR set up Transit Centers to process returnees from India, and some 43,000 refugees reportedly returned home.

**Actors** : IPKF and UNHCR and GOSL and NGOs

### **1990 - 1998 UNHCR and ORCs**

**1990** Marked a **turning point**. After 14 months of peace talks, the LTTE refused to disarm and the conflict resumed in all its intensity, resulting in the LTTE controlling almost the entire Jaffna peninsula and large parts of Kilinochchi, Vavuniya, Mulaitivu and Mannar Districts. This period is referred to in literature as Eelam War II during which Rajiv Gandhi and President Premadasa were killed by LTTE suicide bombers (May 1991).

Between **June and September 1990**, approximately 140,000 people left through Mannar island to India. Their numbers surpassed the number of 43,000 asylum seekers/refugees, who had returned to Sri Lanka between 1987 and 1989 assisted by UNHCR.

**Assistance policy** : In an effort to minimise further flight within and outside the country to India UNHCR launched the concept of Open Relief Centers (ORC) as a pragmatic response to the humanitarian needs on the ground. **Welfare centers** at that time existed alongside ORCs

**Caseload** : former returnees and internally displaced.

One (01) ORC was established in Madhu (Mannar) one (01) in Pessalai (Mannar island) the gateway to India. In addition 6 sub-ORCs were set up.

**Peak years** : During 1990 and 1991, the number of displaced persons reached 700,000 IDPs in 700 welfare centers countrywide and ca. 1.7 million people affected by the conflict (10% of the then total population of Sri Lanka) Source : civil administration.

**Actors**: UNHCR initially assumed responsibility for the management and maintenance of the ORCs. The government remained responsible for food distribution, the transport of which was facilitated by UNHCR.

**In 1991** at the height of the crisis, the Secretary of the MRR was appointed CGES.

An Essential Service Committee was set up to deal with the IDP crisis. This Committee was dissolved **in 1997**.

### **Shifts in Responsibilities 1998 - 2000**

**Assistance policy : In 1998** UNHCR handed over management of the welfare centers and ORCs to the Sri Lankan government in line with its policy to gradually phase out long term assistance to persons of concern.

**Shifts in responsibilities:** Since January 1998 the CGES came directly under the Presidential Secretariat

**In 2000** a separate **Ministry for Rehabilitation, Reconstruction and Development of the Northern Region** is created. Since 21 March 2000 the CGES falls under this Ministry and so does RRAN, which was created in 1996 to concentrate on rehabilitation and reconstruction and operated exclusively in the Northern Province.

#### **Assistance Schemes 1988 -1994**

**Government policy :** Following the creation of the first WFCs in 1983 the CGES under the Ministry of Social Affairs, provided ad hoc relief assistance to displaced persons in the form of dry rations and cooked meals.

**In 1988** the CGES introduced the Unified Assistance Scheme (UAS), which laid down criteria for provision of dry ration to displaced families by the CGES.

The UAS was amended **in 1991** to include families displaced after June 1990

**In 1994** the PA government recognised the need to look into **longer term needs** of displaced persons and war affected populations as opposed to previous policy, which focussed on **temporary relief**.

**Actors** included the CGES, UNHCR, NGOs and Ministry of Shipping, Ports, Rehabilitation and Reconstruction

The **assistance policy** implemented by the Ministry of Shipping, Ports, Rehabilitation and Reconstruction included:

Upgrading of conditions of displaced persons in welfare centers, by replacing communal buildings with individual huts and increasing food assistance (initially Rs. 9 p.p per day) At present CGES dry rations comprise Rs. 315 for 5 persons, Rs. 252 for 4 persons, Rs. 210 for 3 persons, Rs. 154 for 2 persons, Rs. 84 for 1 person per week.

Upgrading of the Resettlement Grant to Rs. 7,000 for a hut and Rs. 25,000 for a permanent shelter construction

Introduce relocation as an alternative to resettlement if no prospects for return to original places of residence are feasible in near future ;

Marriage Prosperity Allowance (MPA) comprising special assistance to newly wed couples living in welfare centers to encourage them to embark on self-employment.

Educational Prosperity Scheme (EPS), assistance to displaced students to enable them to continue their education at advanced level.

Access to soft loan facilities.

Provision of vocational training.

#### **Assistance Schemes 1995 - 2000**

**In 1995** Security Forces recovered Jaffna on the LTTE and the LTTE urged civilians to move into the Vanni area. Between 300,000 and 500,000 men, women and children fled into the Vanni late October 1995.

In an effort to improve the situation of the displaced, **Circular No. CGES/ER/95/01 of 1995**, introduced and **emergency relief assistance scheme** for displaced persons consisting of :

Provision of cooked meals for max 3 days following displacement;

Provision of dry ration/cash payment to families with a monthly income below Rs. 1,500,-;

Provision of temporary shelter and individual huts in welfare centers (Rs. 7,000 per hut of min. 150 sq ft.);

Funeral expenses max. amount Rs. 2,000,-" (UNHCR September 2000, pp. 22-25)

## International Response

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### **UNICEF is the focal point for education, water and sanitation (November 2002)**

- UNICEF recently supported a rapid need assessment of the education system in the North and East.
- One of UNICEF's key objectives is to increase access to safe drinking water and sanitation for the returning displaced and host communities in the North and East, with a specific focus on primary schools and health centres.
- UNICEF has provided psychosocial training for community-based care to returning communities in Jaffna.
- UNICEF continues to scale up its Mine Risk Education (MRE) activities in Jaffna and Vanni districts.
- UNICEF is scaling up activities as focal agency for education, water and sanitation and key elements of protection such as mine risk education, psychosocial care and prevention of underage recruitment and reintegration of former child combatants.
- In the areas of water and sanitation UNICEF is supporting co-ordination and policy development to address the immediate needs of IDPs, as well as targeting water and sanitation recovery needs in primary schools and primary health centres

"The United Nations Children Fund recently provided support to the National Institute of Education to conduct a rapid needs assessment of the education system in the North and East and neighbouring districts. This assessment included recommendations for short and long-term actions and was presented at a meeting in Trincomalee on 16 November chaired by the Secretary of Education, North East Provincial Ministry of Education, at which the Government and LTTE authorities were also represented. At this meeting, the Zonal Education Offices were able to finalise a plan of action focused on addressing the immediate needs of returning IDPs. The findings of the assessment were shared at the Oslo donor conference on 25 November.

One of UNICEF's key objectives is to increase access to safe drinking water and sanitation for the returning displaced and host communities in the North and East, with a specific focus on primary schools and health centres. During the last week of October, UNICEF and WHO jointly conducted a 4-day rapid appraisal of water and sanitation needs in the North and East districts, with the technical assistance of Mr. Marc Gordon, international water and sanitation expert. The aim was to identify the best modalities of support to the Government and other stakeholders in determining priority areas for interventions in 2003.

While concern about underage recruitment remains, there have been some releases of child soldiers over the past month. UNICEF has been working with UNHCR, ILO, Save the Children Alliance, Care International and other international organisations on minimum guidelines for the reintegration of underage combatants.

In an effort to continue to support psychosocial interventions in the North and East, UNICEF has provided psychosocial training for community-based care to returning communities in Jaffna and is undergoing a realignment of its psychosocial initiatives to ensure greater sustainability and that the support addresses the changing context in the north and east. From 27 October to 3 November Dr. Nancy Baron, international psychosocial consultant, provided technical assistance to the agency and the Government of Sri Lanka on the development of a psychosocial programme to address psychosocial needs, including plans for a rapid survey of the existing capacity to address psychosocial needs of the country.

Addressing the increased need posed by the recent large-scale movement of population, UNICEF continues to scale up its Mine Risk Education (MRE) activities in Jaffna and Vanni districts. As a follow up to the rapid assessment of the MRE programme undertaken in May, Mr. Hannoeh Barlevi, international MRE consultant, supported the office for 10 days, strengthening the ongoing MRE programme and designing an action plan to further scale up MRE and survivor assistance. Mr. Barlevi will return in December 2002 to provide long-term technical expertise.

In the last week of October the second round of Sub-National Immunisation Days was held in the Northern and Eastern districts, organised by the Government with support from UNICEF and other organisations. This year's campaign aimed at vaccinating 273,000 children under-five years of age against polio. These are children living in districts where immunisation coverage has been comparatively lower than other parts of the country as consequence of the conflict.

Through the Government Agents in the North and East districts, UNICEF has ensured the delivery of the following relief items to returning IDP families: 2270 kitchen sets and 500 saucepans, 750 plastic caps, 325 plastic buckets, 6,277 lanterns, and 35 water tanks." (UN Inter-Agency IDP Working Group 28 November 2002, p. 4)

"Addressing the pressing needs of IDP returnees includes finding solutions to improve access to water, sanitation, education and protection. These areas remain key concerns for many UN agencies. UNICEF is scaling up activities as focal agency for education, water and sanitation and key elements of protection such as mine risk education, psychosocial care and prevention of underage recruitment and reintegration of former child combatants. With increased support from DFID, UNICEF will improve access to basic education for children in areas of high return. This includes expanding the opportunities for catch-up education and provision of school kits and teacher training. UNICEF is working with the National Institute of Education to conduct a rapid needs assessment for presentation at a meeting of key education authorities in Trincomalee on 8 November. In the areas of water and sanitation UNICEF is supporting co-ordination and policy development to address the immediate needs of IDPs, as well as targeting water and sanitation recovery needs in primary schools and primary health centres. A meeting with all key stakeholders is planned in Trincomalee on 22 October 2002.

UNICEF has undertaken prevention, intervention and awareness activities in many parts of the North and East in relation to recruitment and reintegration of former child combatants in co-ordination with partners. The development of a reporting mechanism to systematically monitor complaints of under-age recruitment has proven a valuable advocacy tool to secure the release of these children. Prevention of under-age recruitment and protection from re-recruitment has been linked to UNICEF's "Every Child Back to School" campaign. In the Wannu, UNICEF has facilitated the creation of 50 village school committees to monitor attendance and provided training to over 2,000 people in the Wannu as part of this programme. UNICEF also co-ordinates a working group of international organisations on under-age combatants, including UNHCR, SCF, ILO, to streamline advocacy against recruitment, as well as to map minimum standards for the reintegration of such under-age recruits." (UN Inter-Agency IDP Working Group 17 October 2002, pp. 3-4)

"Underage recruitment, child demobilisation and psychosocial problems remain concerns for IDP families and communities, especially in areas of the north and east. Among the UN agencies, UNICEF plays the lead role in addressing these issues, and is working in conjunction with the Government and other organisations on psychosocial interventions for women and children. UNICEF has undertaken prevention, intervention and awareness activities in many parts of the north and east. The Agency reports that it has facilitated the creation of 50 village committees and provided training to over 2,000 people in the Vanni as part of its "Every Child Back to School" programme. The agency has been working with UNHCR and other international organisations on procedures and forms for data collection and information sharing

regarding cases of underage recruitment. UNICEF is also working with the ILO, UNHCR and Save the Children to map specific preparedness interventions for demobilisation of child soldiers. UNICEF also provides support to organisations conducting mine risk education and rehabilitation of land mine victims in Jaffna." (UN Inter-Agency IDP Working Group 4 September 2002, p. 3)

### **Overview of FAO's assistance to IDPs between 1996-2002 (November 2002)**

- The FAO has consistently provided assistance and assurance of food security to displaced farmers and fishermen affected by the ongoing conflict.
- First project: FAO stepped in to provide 35,000 bushels (17.5 metric tons) of seed paddy to internally displaced farmer families in the Jaffna Peninsula, for cultivation during the Maha season of 1996/97. This enabled over 17,500 displaced farmer families in Jaffna to cultivate 700 Ha. of paddy.
- Second project: FAO implemented two extensive programmes for the rehabilitation of the agriculture and fisheries sectors in the North during the period 1998/1999.
- Third project: assistance for 8,500 displaced farmer families and supplied Jaffna type mammoties & vegetable seeds, while another 13,500 farmers were also issued with implements of the same type for the purpose of generating income.
- The fourth project: assistance to the technical coordination of emergency assistance in agriculture rehabilitation and supply of emergency agricultural kits to conflict affected farmers

"FAO reports that 4,500 families have received rice seed, tools, fertilisers and herbicides and similar packages are due to be distributed to another 5,000 families. NGOs in Jaffna have provided enough seed to cover 6,500 hectares. The FAO has received half of the \$US 800,000 needed to implement their projects." (UN Inter-Agency IDP Working Group 28 November 2002, p. 4)

"FAO has received 800,000 EUR from the European Commission's Humanitarian Aid Office (ECHO) to fund a program targeted specifically at IDP returnees. The overall objective of this project is to provide food security to IDP returnee families in the Wannai.

The project will cover Vavuniya, Kilinochchi, Mullaitivu, Jaffna, Mannar and Trincomalee. The funds will be used for supplying crop seeds, fertiliser, tools and implements, herbicide and farmer training. FAO will also use these funds to provide assistance to animal production activities in Kilinochchi and Mullaitivu and rice production activities elsewhere. FAO investigations revealed that over 50% of the cattle and goats in the Wannai districts have been destroyed due to the war, therefore animal production is essential for food security. The ECHO project targets approximately 10,000 of the estimated 35,000 IDP returnee families in the area. Of these 10,000 farming families, half are targeted to receive assistance for rice cultivation and the other half to cultivate the remaining crops. The project is designed to provide assistance in food production and income generating activities so that IDP returnee families do not become dependent upon food aid." (UN Inter-Agency IDP Working Group 4 September 2002, p. 3)

"The Food and Agricultural Organization of the United Nations (FAO) has signed an agreement with the Government of Sri Lanka for the implementation of its fifth emergency rehabilitation programme, at a cost of US\$ 364,500, with funding assistance received from the Government of Sweden. The activities of this project will commence immediately.

The FAO, having been associated with Sri Lanka's agriculture, fisheries and livestock sectors for a considerable length of time, has consistently provided assistance and assurance of food security to displaced farmers and fishermen affected by the ongoing conflict. In response to an appeal made by Her

Excellency the President to international donors for assistance in the relief and rehabilitation of the Jaffna Peninsula, the FAO fielded a mission to Jaffna in September 1996 in order to carry out an assessment of needs for the rehabilitation of agriculture, fisheries and livestock sectors. A set of emergency relief and rehabilitation proposals prepared by this mission have been accepted and implemented by some international donors.

Responding to an urgent request made by the Resettlement and Rehabilitation Authority of the North (RRAN), the FAO stepped in to provide 35,000 bushels (17.5 metric tons) of seed paddy to internally displaced farmer families in the Jaffna Peninsula, for cultivation during the Maha season of 1996/97. This enabled over 17,500 displaced farmer families in Jaffna to cultivate 700 Ha. of paddy.

A second FAO mission visited Sri Lanka during September/ October 1997 to carry out a rapid evaluation of the needs of farmers and fishermen in the Jaffna, Mannar and Vanni regions affected by the conflict, and identified several project proposals in order to mobilize donor support.

As a result of these proposals, the FAO implemented two extensive programmes for the rehabilitation of the agriculture and fisheries sectors in the North during the period 1998/1999.

One such programme, at a cost of US\$ 320,000, was funded by the Government of the United Kingdom and provided approximately 2,000 displaced farmer families with emergency agricultural kits and implements, which included 400 water pumps, 400 knapsack sprayers, 100 kg of vegetable and other field crop seeds, planting materials, and distribution of water pumps and sprayers. The beneficiaries were grouped in five farmer families in one unit.

The other project, at a cost of US\$ 300,000 funded by the Government of Norway, provided assistance for 8,500 displaced farmer families and supplied Jaffna type mammoties & vegetable seeds, while another 13,500 farmers were also issued with implements of the same type for the purpose of generating income. This project also helped to rehabilitate the production capacity of Thirunelveli seed multiplication and District Agricultural Training Centre (DATC), including repairs to existing infrastructure, transport, training and laboratory equipment. These projects benefited more than 30,000 farmer and fisher families in the North.

The fourth project, funded and implemented by the FAO at a cost of US\$ 376,000 provided assistance to the technical coordination of emergency assistance in agriculture rehabilitation and supply of emergency agricultural kits to conflict affected farmers. This project was concluded in December 1999." (RRAN July 2000)

### **World Bank, UNDP and UNHCR to try to bridge the gap between relief and development (October 2002)**

- UNHRC, UNDP and the World Bank will work together in Sri Lanka to implement the Repatriation, Reconciliation, Recovery and Reconstruction (4Rs) concept in an effort to bridge the gap between relief and development.
- Under the 4Rs concept, relief activities would be planned with longer-term sustainability and development in mind.

"Sri Lanka has been selected *by the Headquarters of the World Bank, UNDP and UNHCR* as one of three countries in which all three bodies will work together, along with other stakeholders, on the implementation of the Repatriation, Reconciliation, Recovery and Reconstruction (4Rs) concept. The 4Rs concept is a pilot initiative that is designed to bridge the gap between relief and development. The expectation is that the WB, UNDP and UNHCR will expand the 4Rs concept and develop a set of principles in relation to needs in Sri Lanka.

This relief-development gap is especially pronounced in the immediate transitional phase from conflict to post-conflict situations. The gap undermines potential progress that could be made towards finding and implementing durable solutions for displaced persons and affected communities.

Even with immediate relief activities the displaced require sustained and formulated reintegration and development support if they are to be given a chance to become productive members of society. From the outset, under the 4Rs concept, relief activities would be planned with longer-term sustainability and development in mind. All stakeholders are encouraged to adopt the principles of the 4Rs concept and work towards bridging the gap between relief and development. This approach is also being implemented in Sierra Leone and Eritrea." (UN Inter-Agency IDP Working Group 17 October 2002, p. 3)

### **UNHCR and the HRC to conduct an assessment on the issue of land and property rights (October 2002)**

- UNHCR and the Human Rights Commission (HRC) are proceeding with a study on the issue of land and property rights that should be completed at the end of the year.
- The study will make recommendations as to whether there is a need to make additional resources or mechanisms available to deal with property restitution and, if necessary, compensation for lost or damaged property

"UNHCR and the Human Rights Commission (HRC) are proceeding with a study on the issue of land and property rights. A tender process has begun and individuals and groups are now being selected to work on the study. It is hoped that the initial phase of the study will be completed before the end of this year followed by a workshop at the beginning of the year 2003. It is expected that the study will inform Government, UN Agencies and others on steps that need to be taken to ensure that returnees, be they IDP or refugee returnees, will be able to enjoy their right of property restitution. The study will make recommendations as to whether there is a need to make additional resources or mechanisms available to deal with property restitution and, if necessary, compensation for lost or damaged property." (UN Inter-Agency IDP Working Group 17 October 2002, p. 3)

### **WFP activities on behalf of IDPs (October 2002)**

- WFP has implemented a new Food for Work programme in the Wannu to ensure food security for IDPs returning.
- The primary objective of the PRRO is to provide relief food assistance to some 85,520 displaced persons worst affected by the conflict – people forced to flee their homes and who are housed in 251 welfare centers located in eight districts of the Northeast provinces.

"Among the immediate needs for IDP returnee families is food security. To address this issue, WFP has implemented a new Food for Work programme in the Wannu. WFP has designed this programme with two goals in mind: 1) to improve the nutrition of the most vulnerable conflict-affected people with special emphasis on women and children and 2) to encourage recovery of conflict-affected people to attain greater capacity and self-reliance and thereby improve household food security.

WFP is focusing on three areas of infrastructure including irrigation tanks and roads in more than 15 sites. WFP signed a MOU with GTZ to provide food to children in the Wannu. The target audience for this is 13,500 children who will be encouraged to "catch up" in school with the assistance of GTZ. This will be carried out within a 6-month period of time under the auspices of GTZ's psychosocial programme. WFP signed a global MOU with a Swiss mine clearing organisation that will look at the safety aspects of establishing a new office in Kilinochchi. This company will also look for mines in the target area of the

Wanni. The organisation will submit a proposal for land clearance as the Food for Work programme is expected to grow significantly in the near future." (UN Inter-Agency IDP Working Group 17 October 2002, p. 4)

### **6152.00 – "Relief and recovery assistance to internally displaced persons in Sri Lanka"**

Duration: Two years, through 31 December 2002

Total commitment: 35,337 tons

Planned beneficiaries: 100,520 persons

"The primary objective of this PRRO is to provide relief food assistance to some 85,520 displaced persons worst affected by the conflict – people forced to flee their homes and who are housed in 251 welfare centers located in eight districts of the Northeast provinces. With conflict areas gradually being reclaimed by the Government, displaced persons have started returning to their villages, and require initial assistance to return to their normal lives and rehabilitate village based drinking water and irrigation structures. WFP expects to assist some 15,000 returnees, complementing the Government's relocation package." (WFP WFP-assisted Project in Sri Lanka)

For more information on WFP's activities on behalf of IDPs in Sri Lanka, click [here](#).

### **Mine action programme (September 2002)**

- The Mine Action Programme in Sri Lanka is supported by five "pillars" of interlinked interventions: raising public awareness; assessments, survey of mined areas; providing medical, rehabilitation to mine victims; advocating for a global ban of mines; stockpile reduction.
- It is planned to create and support the first District Mine Action Office (DMAO) in the GA's Office in Jaffna and the second in Vavuniya.
- The United Nations Mine Action Service (UNMAS) is planning to include Sri Lanka in phase II of the Landmine and UXO Safety Project.

"The Mine Action Programme in Sri Lanka is supported by five "pillars" of interlinked interventions. The *first* is raising public awareness about mines and UXO leading to behavioural change and risk avoidance; the *second* pertains to Mine Action assessments, mined area survey, clearance, marking and mapping; the *third* pertains to providing medical, rehabilitation and vocational services to mine and UXO survivors; the *fourth* pertains to advocating for a global ban on the sale, use and manufacture of landmines; and the *fifth* pillar is stockpile reduction. Currently the Mine Action Programme is working together with the Government and local and international organisations to fulfil its mandate as outlined above. Mine Action reports that the Ministry of Defence has agreed to provide the Programme with Liaison Officers to the National Mine Action Authority (and the DMAO); access to purchase and store bulk explosive and accessories; helicopter medical evacuation support; training mines; and stores and land to construct a Mine Detection Dog evaluation and training area.

To address and coordinate these elements of mine action the following structure has been proposed and, in principle, agreed. A small, central National Mine Action Authority supported by a number of District Mine Action Offices. It is planned to create and support the first District Mine Action Office (DMAO) in the GA's Office in Jaffna and the second in Vavuniya. The DMAO in Vavuniya will ultimately be located in the Government Agents Office, however, due to lack of office space it will work out of the UNDP Office in Vavuniya for the time being.

### ***Mine Risk Education***

A series of documents were produced by the National Mine Action Authority that have direct implications for mine risk education project activities e.g. “Accreditation of Mine Risk Education Organisations and Licensing of Operations”, “Best Practise Guidelines for Mine Risk Education Activities”, and a “Monthly Monitoring Report” format.

The United Nations Mine Action Service (UNMAS) is planning to include Sri Lanka in phase II of the Landmine and UXO Safety Project. The aim is to provide general awareness and safety information to organisations and individuals working in the vicinity of areas affected by mines and UXO. The Landmine and UXO Safety materials consist of two types: general and country-specific materials. The mine/UXO information for the country-specific materials (leaflets, posters, mine models) will be collected by Handicap International (France).

### ***Mine Assessments and Mapping***

In Jaffna *Ronco* has cleared over 400 mines to date. *MAG* has begun a land mine marking project in the LTTE controlled areas. *HALO Trust* continues marking operations in Jaffna and has conducted 24 minefield surveys and has destroyed 130 UXOs as of 11 August 2002. The *Sri Lankan Military* continues with mine lifting activities in the Government controlled areas and has cleared 13,239 mines to date. *HDU* continues with mine ‘lifting’ activities in the LTTE controlled areas.

The following groups carried out preliminary assessment missions in Sri Lanka during July and August 2002:

- § DanChurchAid (DCA): Mine clearance, EOD and survey;
- § Mines Awareness Trust (MAT): Mine risk education;
- § Handicap International (HI- France): Mine clearance and mine reduction education;
- § Swiss Federation for Mine Action (FSD): Mine clearance, EOD and survey;
- § Danish Demining Group (DDG): Mine clearance, EOD and survey;
- § Norwegian Peoples Aid (NPA): Capacity building support to HDU;
- § US Army Special Forces (US SF): Capacity building support to SL Army clearance efforts.

### ***Rehabilitation***

In terms of victim assistance, Mine Action has done work in Jaffna, the Vanni and Trincomalee. Assistance ranges from training of rehabilitation workers, physiotherapy, counseling and community based rehabilitation (AROD- Jaffna); prosthetic, orthotic, physiotherapy, rehabilitation services (FINSJaipur Foot); income generating activities and educational assistance for children (Sarvodaya-Jaffna); victim statistics, prosthesis and support equipment (White Pigeon – Vanni); to general assistance (Sri Lanka Red Cross Society – Trincomalee)." (UN Inter-Agency IDP Working Group 4 September 2002)

### **Joint strategy between UN and government to respond to the spontaneous returns (August 2002)**

- The “Donor Alert” and “Quick Impact Project” have been brought together into a single unified approach.
- The elements of the Joint Strategy prepared by the UN cover only short-medium term projects to assist spontaneously returning IDPs.
- An important element of the Joint Strategy is to scale up Government capacity centrally in Colombo and at district level to cope better with present challenges and future developments

- The Joint Strategy is more about strategic planning and preparation than fund-raising.
- Immediate action will concentrate on the initial needs of returned and returning IDPs and their home communities in the conflict-affected areas over the next 6-12 months.
- The immediate timeframe for the Joint Strategy is from July 2002 to July 2003, allowing sufficient time for assessments and planning for further responses, particularly more transitional activities, which need a longer timeframe to implement.

"The Government and the UNCT have decided to bring together the "Donor Alert" and "Quick Impact Project" into a single unified approach. This Joint Strategy thus sets out how the immediate priorities of the Government can be supported by the UN agencies, to focus existing interest and enhance the current level of international support for immediate humanitarian and development activities designed to help create 'dividends of peace'. Care has been taken to ensure that it does not duplicate but rather complement the QIP. The elements of the Joint Strategy prepared by the UN, which are presented in this document, cover only short-medium term projects to assist spontaneously returning IDPs. The document is not concerned with resettling the people still living in the welfare centres nor with the large-scale rehabilitation of infrastructure, although some activities carried out under FFW (food-for-assets [FFA]) will be to rebuild some basic community facilities. Programmes contained in this document aim at increased social services in IDP return areas, including direct assistance to 'at home' communities in such areas. [...]

Although the Government, UN system and NGOs have been administering programmes of assistance to conflict-affected people in the past, the present situation requires special attention. In particular, there is a need to respond urgently to the spontaneous return of over 100,000 IDPs, and this requires agencies to increase their levels of activity. The Agencies of the UNCT – the Food and Agriculture Organization (FAO), International Labour Organization (ILO), World Health Organization (WHO), World Food Programme (WFP), United Nations Children Fund (UNICEF), United Nations High Commissioner for Refugees (UNHCR), United Nations Population Fund (UNFPA), and United Nations Development Programme (UNDP) – have prepared these elements of the Joint Strategy, together with the relevant Government partners, under the coordination of the UN RC. Support from UN agency headquarters was also provided in the form of specialist advisors.

In reorienting their programmes to manage the changing needs of the people, the Government and UN system, in consultation with other stakeholders, have focussed their initial efforts on the immediate needs of people who are spontaneously returning to their homes in conflict-affected areas as a result of growing confidence in the peace process, as well as host communities residing in those areas. With limited time to conduct specific assessments, the UNCT and the Government drew upon their existing data on IDPs and, using their joint experience, identified critical issues requiring an immediate response to enable individuals and communities to get back on their feet. Furthermore reports from Government and UN agencies in the field indicate that over 100,000 IDPs have spontaneously returned to date. Rapid Village Assessments in areas receiving IDP returnees are currently being undertaken, based on information forwarded by district-based Government Officials, with UN focal point support provided by UNHCR through a new Inter-Agency IDP Working Group.

### **Scope**

Programmes presented in the Joint Strategy aim to assist affected populations to re-establish their lives, livelihoods and homes. Although the UN is not yet organising nor encouraging returns of IDPs or refugees, it does recognise that a real need already exists on the ground, created by the spontaneous return of more than 100,000 IDPs, and is responding to it in support of the Government, at the same time as avoiding solely life-sustaining humanitarian relief, which might encourage dependency.

The Joint Strategy is just one of a number of socio-economic actions needed to support the overall peace process, to be carried out along with long-term developmental assistance across the country, as the process continues. This approach is an example of concrete action that represents a 'peace dividend' for the IDPs and those already living in the communities to which they are returning. These are amongst the areas worst

affected by the 19-year conflict, which it has not been possible to access consistently in the past. Failure to assist the Government to support the spontaneously returning IDPs could result in their losing confidence, ultimately undermining the peace process.

An important element of the Joint Strategy is to scale up Government capacity centrally in Colombo and at district level to cope better with present challenges and future developments. It also seeks to strengthen key ministries concerned with the return of IDPs and overall peace building. This is part of the 'road map for action in the coming 12 months and preparedness for longer-term programmes' called for by the Inter-Agency Needs Assessment Mission.

As such, the Joint Strategy is more about strategic planning and preparation than fund-raising, *per se*. However, if adequate funds are raised this will help to quickly increase the Government and the UN's actions in conflict-affected areas, helping to spur on the peace process and contributing to it by offering support and protection to the most vulnerable. Finally, the launch of the Joint Strategy is an opportunity for the Government and the UN to promote and demonstrate a deliverable "peace dividend" and to assist such conflict-affected communities to develop on a par with the rest of the country.

### **Changing Focus Over Time**

The Joint Strategy is the first step in a planning process. The programmes presented are aimed at operationalising the strategies outlined. The document is deliberately very limited in scope, because the peace process is still in a preliminary stage and it is uncertain how it will develop. However, it is also a vital first step, support to which is essential, in the spirit of increased partnership between the Government, the UN system, its partners and donors to demonstrate the commitment of the international community to the peace process and their support to Sri Lanka.

Immediate action will concentrate on the initial needs of returned and returning IDPs and their home communities in the conflict-affected areas over the next 6-12 months. It must do more than simply provide relief, and should aim to assist people to get back on their feet; helping them to begin restoring their self-sufficiency by starting to build sustainable livelihoods and supporting activities that generate jobs. The immediate timeframe for the Joint Strategy is from July 2002 to July 2003, allowing sufficient time for assessments and planning for further responses, particularly more transitional activities, which need a longer timeframe to implement. These different timeframes are indicated in the summaries of the different projects proposed under the Strategy (Annex E).

Wider peace-building programmes will be closely linked to the Government's macro-economic planning initiatives. This will require a thorough post-conflict recovery needs analysis and planning process, in partnership with all stakeholders already supporting Sri Lanka – bilateral donors, the World Bank, Asia Development Bank, NGOs – thus setting the assistance in the context of all international support. The UN also has a key role in supporting the Government in national planning and coordination for rehabilitation and recovery, in coordination with other stakeholders. Meanwhile, interventions proposed under the Joint Strategy, aim to facilitate programme up-scaling, and promoting transition to developmental work in the regions to which IDPs are returning." (Government of Sri Lanka & UN 23 August 2002, pp. 5-6)

### **Joint UN-Government proposed response to the food needs (August 2002)**

- Objective of the proposed intervention is to increase food availability in food insecure communities of expected IDP return.
- Jaffna, Kilinochchi, Mullaitivu, Vavuniya, and Mannar will be prioritized
- MRRR is the central Government counterpart for all WFP activities in the North and East, and has overall responsibility for the programming, coordination and implementation of all WFP interventions.

- WFP's PRRO, already being implemented, focused on continued relief distribution to vulnerable welfare centre residents, nutrition support to children, expectant/nursing mothers, and for participants in psycho-social programmes, FFW schemes to rehabilitate community assets, and vocational skills training.

"[Objective:]

"To increase food availability in food insecure communities of expected IDP return through the timely provision of a basic family food ration to participants in FFW schemes to rehabilitate basic community infrastructure, through relief programmes to the most vulnerable, and nutrition support for children and expectant and nursing mothers.

**Priority Areas:** Jaffna, Kilinochchi, Mullaitivu, Vavuniya, and Mannar.

**Proposed intervention**

-The Ministry of Rehabilitation, Resettlement and Refugees is the central Government counterpart for all WFP activities in the North and East, and has overall responsibility for the programming, coordination and implementation of all WFP interventions.

-WFP's proposed interventions are already covered under its ongoing 3-year Protracted Relief and Recovery Operation (PRRO), which was approved by the Executive Board in October 2001. This programme focused on continued relief distribution to vulnerable welfare centre residents, nutrition support to children, expectant/nursing mothers, and for participants in psycho-social programmes, FFW schemes to rehabilitate community assets, and vocational skills training. However, due to the current low level of resources (24% of annual requirements) a number of these interventions have not been initiated. Hence this is an appeal for the shortfall in the food resources required under PRRO 10067.

-The proposed intervention will include food relief distributions to the most vulnerable residents of welfare centres, and supplementary feeding distribution coupled with nutrition education programmes for children and expectant and nursing mothers.

-The support to FFW activities in targeted areas will provide a safety net whilst creating physical assets that will help strengthen household food security in the medium to long term, and enhance livelihood opportunities.

-A typical 'menu' of FFW (FFA) interventions has been identified based upon a prioritisation of needs expressed by the local communities, such as: clearing land, irrigation tank repairs, canal cleaning, repair and maintenance of rural access roads, and repair of community buildings.

-FFW schemes, featuring the involvement of local authorities and several UN agencies, are consistent with the UNCT's 'area-based approach'.

-FFW (FFA) schemes will be undertaken in partnership with Government partners such as the Department of Agrarian Development (for rehabilitation of irrigation tanks and ponds in Jaffna), Rural Road Department for access roads, Provincial Health services for nutrition support, national and international NGOs for resettlement-related schemes in the targeted areas.

-The composition of the activity portfolio will depend on availability of other partners' technical assistance, materials or cash inputs. The technical or material inputs will be provided by a variety of partners, including UNICEF, FAO, UNDP, ILO, UNHCR and some NGOs, in addition to Government counterparts and the World Bank NEIAP." (Government of Sri Lanka & UN 23 August 2002, p. 15)

## **Joint UN-Government proposed response to the agriculture and fisheries needs (August 2002)**

- Objective of the proposed intervention: to help up to 50,000 IDP families to quickly and efficiently resume food production in the Maha Season beginning October 2002, to enable them to ensure their personal food security as soon as possible and to resume their former livelihood as agricultural producers.
- Jaffna, Kilinochchi, Mullaitivu, Mannar, Trincomalee and Vavuniya will be prioritized
- The intervention will benefit at least 18,000 families, including 2,000 fisher families, rising to 50,000 if projected return rates are correct.

### **"[Objective:]**

"To help up to 50,000 IDP families to quickly and efficiently resume food production in the Maha Season beginning October 2002, to enable them to ensure their personal food security as soon as possible and to resume their former livelihood as agricultural producers.

**Priority locations:** Jaffna, Kilinochchi, Mullaitivu, Mannar, Trincomalee and Vavuniya

### **Proposed intervention**

**-Number of households targeted:** The intervention will benefit at least 18,000 families, including 2,000 fisher families, rising to 50,000 if projected return rates are correct. This assumes also that international NGOs will be assisting a proportion of the returnees.

**-Agricultural inputs:** It is assumed that returnee families do not have the basic tools and seeds needed to clear their land and plant crops. The project will provide a basic kit of field crop seeds (rice, black gram, green gram, groundnut, maize and others, as appropriate), tools, fertiliser, rice herbicide and appropriate vegetable seeds and tree seedlings to enable returnees to establish homestead plantations and their usual field crops in the Maha Season beginning in October, 2002. Full details of targeted plantings of all crops have been obtained from the Ministry of Agriculture and Lands in each of the six districts affected.

**-Fishing:** Following the lifting of all restrictions on coastal and deep sea fishing, in mid-June 2002, many returnees will need fishing equipment to resume fishing activities. It is estimated that 22,000 of 68,000 fishing families in the affected districts have been displaced, thus losing their fishing gear and needing assistance to resume their livelihood. Assistance will be provided for 2,000 fishing families in Mannar and Mullaitivu and other coastal provinces, but a participatory needs assessment must be carried out before the project can be prepared. The Government's QIP has also targeted the need to provide fishing equipment and ice-making facilities at several centres. In implementing its proposed activities in the fisheries sector, FAO will work in close collaboration with Government fisheries staff.

**-Other inputs:** Irrigation infrastructure has been severely damaged in many areas and fifty small tanks have been identified for rehabilitation using FFW, provided by WFP. FAO will collaborate with WFP by providing technical assistance and appropriate inputs necessary to complete this work in the shortest possible time. Appropriate support will be provided for the pumped irrigation of highland crops. Livestock restocking (cattle and buffaloes) is not an emergency activity, and not included at this stage. Restocking with improved breeds of goats will be considered later. There is a need for emergency support to the AI service and for storage facilities for veterinary medicines and vaccines for the Veterinary Department.

These will be provided under the major inputs project. A pilot project to provide poultry to women farmers will be introduced in Mullaitivu and Kilinochchi.

**-Implementation:** The distribution of agricultural and fisheries inputs will be organised through the District Secretariats and will be supervised by the FAO Representative and other FAO staff, working closely with District Development Committees (DDCs), the Ministry of Agriculture and Lands, and local authorities. The DDCs will allocate responsibility to staff of the Ministry of Agriculture and Lands to prepare distribution plans for the inputs. Assistance, in the form of motorcycles, will be provided to the Ministry of Agriculture and Lands to ensure mobility, which is essential for its extension staff.

**-Mine clearance:** It is essential that mine clearance be completed in the targeted areas as soon as possible. Some, such as Thenmaradchchi in Jaffna District and the northern half of Vavuniya District still have many mines that have not been cleared." (Government of Sri Lanka & UN 23 August 2002, pp. 16-17)

### **Joint UN-Government proposed response to emergency employment needs (August 2002)**

- Objective of the proposed intervention: to generate immediate employment and rehabilitate essential community assets, through a Food- for-Assets scheme involving labour-only activities and using food as payment for workers.
- Jaffna, Kilinochchi, Mullaitivu, Mannar, Vavuniya and Trincomalee will be prioritized

**" [Objective:]**

To generate immediate employment and rehabilitate essential community assets, through a Food- for-Assets scheme involving labour-only activities and using food as payment for workers.

**Priority Areas:** Jaffna, Kilinochchi, Mullaitivu, Mannar, Vavuniya and Trincomalee

#### **Proposed intervention**

-A FFA programme offers a constructive approach to food deficiency and short-term employment creation for large numbers of unskilled workers, in line with the recommendations in the Triple R Framework. It seeks to achieve its objectives of immediate job creation and income generation for the most vulnerable groups in target areas, through the use of local labour, materials and enterprises; and community-based training in the planning, operation and maintenance of utilities, using labour-intensive methods.

-Individual projects in targeted areas will be selected based on the importance of the community assets to be rehabilitated, but the 'menu' will be confined to minor works where labour is the major requirement. The work will be kept at the level where the community owns the assets involved and is also responsible for their operation and maintenance.

-Most of the works will be land-related (irrigation, environmental, afforestation) or directed at water and sanitation and public buildings. Work sites must also be assured safe through mine clearance (by others) carried out to internationally accepted standards before work commences.

-There is an abundance of available unskilled and partly skilled labour, hence labour-intensive work methods will be utilised.

-ILO principles of 'Decent work' will be applied in all workplaces, and ILO labour productivity and technical quality standards will be used in labour-intensive works for all assets rehabilitated. Support to small enterprises will be facilitated through the UNDP micro-credit project, where possible.

-The programme will involve the participation of local communities, CBOs and NGOs, and close collaboration with the local administrative structures, the GAs, and government agencies including Provincial Road Development Authority, Water Supply and Drainage Board, Department of Irrigation and Department of Agrarian Services.

-Work is likely to need to start simultaneously in five districts where there is food deficiency and where it is expected that mines mapping under a parallel project will enable an early start to works in mine-free areas." (Government of Sri Lanka & UN 23 August 2002, p. 18)

### **Joint UN-Government proposed response to the health and nutrition needs (August 2002)**

- Objective of the proposed intervention: to ensure reduction of preventable morbidity and mortality amongst the returning IDPs and home community population in the Northern and Eastern Provinces by delivering immediate curative and preventive health services, through strengthening the existing health system.
- Jaffna, Kilinochchi, Mullaitivu, Mannar, and Vavuniya North will be prioritized

#### **"[Objective:]**

To ensure reduction of preventable morbidity and mortality amongst the returning IDPs and home community population in the Northern and Eastern Provinces by delivering immediate curative and preventive health services, through strengthening the existing health system.

**Priority Areas:** Jaffna, Kilinochchi, Mullaitivu, Mannar, and Vavuniya North.

#### **Proposed intervention**

The interventions will provide immediate health services to IDP and home community populations in returnee areas, as follows:

-Outreach services providing basic curative, first aid and emergency treatment, including of casualties from landmines and UXO, preventative services, immunisations, mother and child services, communicable disease surveillance, and referral services;

-Establishment of community outreach services for Sexually Transmitted Infection / Human Immune deficiency Virus (STI/HIV), including a programme of information, education and communication, a counselling and voluntary testing programme, and the supply of essential drugs, test kits and condoms;

-Psychosocial support services to enable internally displaced persons to cope with their specific circumstances;

-In-depth needs assessment of health services and facilities in areas with large numbers of returnees;

-Supply of emergency equipment and materials, including emergency obstetric supplies to selected hospitals;

-Provision of micronutrients for women and children, and rehabilitation of malnourished children;

-Training including refresher courses for healthcare providers.

UN agency responsibilities are divided as follows:

-WHO will coordinate UN action in the health area of need, and it plans to establish a field presence in the north-east while further strengthening its partnership with UNICEF that has field presence through its five field units in the North and East.

-WHO will, in addition, support outreach services in targeted areas for communicable disease control and surveillance with a primary focus on malaria, support to health departments for primary health care kits, disease outbreak preparedness including training, and providing essential supplies and equipment.

-UNFPA will focus on reproductive health including gender perspectives, especially among adolescent and youth groups.

-UNICEF will focus on services for women and children including mobile clinics, nutritional activities, training for maternal and childcare, psychosocial activities and mine-risk education (see Ser. 5.1).

-All UN agencies will work in close collaboration with the national and provincial health departments, hospitals, and primary health centres." (Government of Sri Lanka & UN 23 August 2002, p. 20)

### **Joint UN-Government proposed response to the water & sanitation needs (August 2002)**

- Objective of the proposed intervention: to increase access to safe drinking water and adequate sanitation of about 250,000 returnees in the North and East during 12 months.
- Jaffna, Mullaitivu, Kilinochchi, Mannar, and Vavuniya will be prioritized.
- The programme of activities seeks to address the problem of access to water supply and sanitation facilities among the returnees, with a specific focus on the needs of school children.

#### **"[Objective:]**

To increase access to safe drinking water and adequate sanitation of about 250,000 returnees in the North and East during 12 months.

**Priority Areas:** Jaffna, Mullaitivu, Kilinochchi, Mannar, and Vavuniya.

#### **Proposed response**

The programme of activities seeks to address the problem of access to water supply and sanitation facilities among the returnees, with a specific focus on the needs of school children. The following strategy will be developed:

-An estimated 20,000 families, 250,000 returning IDPs and their host populations, will be supported to gain access to services;

-An estimated 5,000 schoolchildren, in 100 schools, will gain access to improved school water and sanitation facilities and hygiene education;

-Selected groups of volunteers will be trained to mobilise communities and conduct hygiene education/awareness so that the services provided will be used and maintained;

-Beneficiaries will be provided with construction materials using existing supply and delivery mechanisms;

-Selected persons will be trained in basic masonry skills, as there will not be sufficient skilled persons amongst the returnees. They will serve as a resource base for future activities and a source of income;

-Private enterprise will participate, if possible;

-Monitoring and evaluation of activities to ascertain progress of work as per the scheduled attainment of objectives.

UNICEF will assist Government plans to undertake the following activities:

1. Construct 250 new and rehabilitate 750 old community wells;
2. Construct 7,500 new latrines and rehabilitate 17,500 defunct facilities;
3. Construct 100 school latrine facilities;
4. Conduct hygiene education/awareness activities and develop local skills.

UNICEF will support the existing government structures and currently operating NGOs to carry out and monitor the water and sanitation activities. UNICEF, through its field presence and in coordination with other UN agencies, will disburse funds and monitor progress to ensure maximum benefits to the returnees. Any improvements to the situation will create more demand for water and sanitation facilities, requiring UN agencies to support improved access to safe drinking water and sanitation as a basic right of every human being." (Government of Sri Lanka & UN 23 August 2002, p. 21)

### **Joint UN-Government proposed response to the education needs (August 2002)**

- UNICEF will focus on the rights of returning IDPs and the existing population in their home communities where access to schooling is difficult or impossible. Education will be expanded to nonformal education to include the needs of out-of-school children as well as to enhance recreational and social aspects.
- The initial 6-12 month interventions aim to assist the provincial education ministry to find sustainable solutions to both quality and access to basic education in the long-term.

"When children are displaced and traumatised by armed conflict, education is a key means of bringing stability and security back into their lives. Education helps re-establish a normal routine within communities threatened by violence and war. Education can also provide a way to reach children with information on health, landmine awareness, gender sensitivity and life skills. In supporting the Government, UNICEF will focus on the rights of returning IDPs and the existing population in their home communities where access to schooling is difficult or impossible. Education will be expanded to nonformal education to include the needs of out-of-school children as well as to enhance recreational and social aspects. The initial 6-12 month interventions aim to assist the provincial education ministry to find sustainable solutions to both quality and access to basic education in the long-term. The interventions will be closely coordinated with school sanitation activities described in Section 6.6.

Key activities will include:

-Provision of emergency education kits and uniform materials to children in schools and pre-schools to continue education. The kits will be provided for all disadvantaged school-aged children including the estimated 150,000 IDP children predicted to return in the next 12 months

-Support the 'Every Child Back to School' national programme, catch-up education programmes for school dropouts and readmission of dropouts. This includes training and mobilisation of community officials to assist the reintegration of children back to school;

- Establishment of protection committees in schools and to ensure inclusive education;
- Establishment of attendance committees to reduce drop-outs and absenteeism;
- Promotion of school based planning and implementation of quality improvement programmes, including physical and human development elements;
- Rehabilitation of damaged school buildings and recreation areas;
- Provision of essential school equipment and furniture;
- Provision of in-service training of formal and volunteer teachers on issues such as child-friendly education, gender-specific strategies and violence and life skills, in coordination with the World Bank, including the implementation of education reforms;
- In coordination with WFP, provide children attending pre-school and catch-up classes with nutritional support." (Government of Sri Lanka & UN 23 August 2002, pp. 22-23)

### **Joint UN-Government proposed response to the protection needs (August 2002)**

- Objective of the proposed intervention: to promote and protect the rights of IDPs and returnees, with special emphasis on the freedom of movement, liberty and security, and property rights of women, children, and other groups at risk.
- Jaffna, Mullaitivu, Kilinochchi, Trincomalee, Vavuniya, Mannar, and Batticaloa will be prioritized
- UNHCR, UNICEF and their partners will work collaboratively to ensure implementation of the protection interventions.
- UNHCR will be the lead agency in addressing issues relating to the rights of IDPs and returnees, with a special emphasis on 'groups at risk'
- UNICEF will be the lead agency addressing protection issues relating to women and children.

#### **"[Objective:]**

To promote and protect the rights of IDPs and returnees, with special emphasis on the freedom of movement, liberty and security, and property rights of women, children, and other groups at risk.

**Priority Areas:** Jaffna, Mullaitivu, Kilinochchi, Trincomalee, Vavuniya, Mannar, and Batticaloa.

#### **Proposed intervention**

Protection is a vital crosscutting theme throughout the phases of displacement and return. Thus, changes in the current situation such as an acceleration of returns or the resumption of hostilities will continue to require interventions of a similar nature. Protection interventions aim at ensuring access by vulnerable people to both national and international means of protecting their rights.

UNHCR, UNICEF and their partners will work collaboratively to ensure implementation of the protection interventions. In accordance with the Guiding Principles on IDPs, UNHCR will be the lead agency in addressing issues relating to the rights of IDPs and returnees, with a special emphasis on 'groups at risk'. In

accordance with the CRC and CEDAW, UNICEF will be the lead agency addressing protection issues relating to women and children. Interventions include ongoing monitoring, investigation of abuses, rights based advocacy and capacity building of local legal and human rights institutions. The main activities are as follows:

- Protection and assistance to IDPs and returnees with a focus on durable solutions;
- Provision of protection to IDPs, including 'protection through presence', as a means of early warning, confidence building, and early response capability to protection problems;
- Provision of protection by monitoring the return process, well-being and treatment of IDPs and refugees;
- Intervention as necessary to prevent human rights violations, including forced relocation and involuntary return;
- Investigate cases of discriminatory treatment and alert the Government and the public to abuses of rights;
- Establishment of mechanisms to provide current and updated information on IDP and refugee return to support interventions in this area;
- Policy and public advocacy activities on issues relating to internal displacement and voluntary repatriation;
- Facilitation of voluntary repatriation of refugees from India;
- Capacity building of governmental and non-governmental institutions and community based organisations to establish and strengthen national mechanisms to deal with IDP and refugee related protection issues such as sexual and gender-based violence and child labour;
- Advocacy at all levels with communities, schools, the Government, the civil administration in the North and East, and armed forces to prevent recruitment of child combatants;
- Rehabilitation and re-integration of ex-child combatants by working with the community to ensure that every child is in school;
- Addressing children's immediate psychosocial needs through the establishment of safe play centres and the resumption of regular schooling;
- Addressing immediate psychosocial needs through community-based training in order to enable IDPs to better cope with repeated displacement and issues such as sexual and gender-based violence and child labour;
- Working with the Government to ensure that every child has a birth certificate." (Government of Sri Lanka & UN 23 August 2002, pp. 24-25)

### **Joint UN-Government proposed response to the non-food items needs (August 2002)**

- Objective of the proposed intervention: to address the urgent humanitarian needs of spontaneous returnees through a needs-based provision of non-food relief and emergency shelter materials.
- Vavuniya, Jaffna, Kilinochchi, Mannar, Mullaitivu, and Trincomalee will be prioritized.
- The non-food assistance provided is limited to emergency relief supplies on a needs-basis.
- The relief package is supplied to returnees in coordination with other UN agencies, in close cooperation with ICRC and UNHCR's implementing partners and the Government Agents (GA).
- The focus however, will remain on vulnerable groups such as women, children, the disabled and elderly, so that neither pull factors nor misconceptions are created that could undermine and disrupt the normal flow of spontaneous return

#### **"[Objective:]**

To address the urgent humanitarian needs of spontaneous returnees through a needs-based provision of non-food relief and emergency shelter materials. This programme also considers increased preparedness levels to respond to the two unlikely scenarios.

**Priority Areas:** Vavuniya, Jaffna, Kilinochchi, Mannar, Mullaitivu, and Trincomalee.

## **Proposed intervention**

The non-food assistance provided is limited to emergency relief supplies on a needs-basis. Provision of emergency shelter materials will support vulnerable groups whose needs require special attention. UNHCR uses the assistance as a protection tool, to gain access to beneficiaries, obtain first hand information on the prevailing conditions in return areas, assess the spontaneous nature of return, and act as a catalyst to highlight integration needs that stretch beyond relief supplies.

In order to provide more effective response to the emerging needs of returnees, UNHCR is reinforcing and expanding its field network so that deliveries of supplies and assessment of shelter needs are performed in a timely manner following return. The non-food family package will consist of:

- Plastic items: mats, plates, cups, basins, and jerry cans;
- Hygiene supplies: towels, powder, and bars of soap;
- Cooking utensils: pots and chopping knives;
- Shelter material: reinforced plastic sheeting or corrugated iron sheets;
- Miscellaneous items: mosquito nets, galvanised iron buckets, etc.

The relief package is supplied to returnees in coordination with other UN agencies, in close cooperation with ICRC and UNHCR's implementing partners and the Government Agents (GA). Given the diverse nature of the return movement, field offices have to respond as appropriate to needs in the North and East, according to whether IDPs are returning to rural or more urban areas, such as around Jaffna.

Experience has demonstrated that in the majority of cases in Sri Lanka, the family non-food items relief package is adequate for the initial return phase. UNHCR will provide the package of non-food items and emergency shelter only to the most vulnerable based on an individual needs assessment of each family – it is estimated that this will amount to 10,000 families (50,000 persons). UNHCR will rely on its field presence, logistics, transport, and warehousing capacities to execute this project. The focus however, will remain on vulnerable groups such as women, children, the disabled and elderly, so that neither pull factors nor misconceptions are created that could undermine and disrupt the normal flow of spontaneous return. The emergency shelter component will be implemented by UNHCR in conjunction with the Government.

UNICEF aims to build its Emergency Preparedness and Response capacity in order to be able to respond to increased return rates of IDPs and to be prepared for any further displacements. This capacity seeks to stockpile essential emergency relief items such as cooking utensils, mats, soap and the construction of temporary shelters as well as shelter materials." (Government of Sri Lanka & UN 23 August 2002, pp. 26-27)

## **UNHCR operations on behalf of IDPs (May 2002)**

- In 1990, the Government of Sri Lanka formally asked UNHCR to provide assistance to IDPs on both sides of the 'forward defence line' (FDL). This arrangement was formalised in a 1993 Memorandum of Understanding between UNHCR and the Sri Lankan government.
- 412,400 IDPs live in areas where UNHCR has a presence and benefit from its assistance.
- UNHCR's budget for Sri Lanka in 2001 is US\$6.8 million.
- UNHCR currently has seven offices in Sri Lanka.
- UNHCR and the Government are preparing a Situation Analysis on Internally Displaced Persons (IDPs) which will contain an overview of the condition of the internally displaced in Sri Lanka including current national and international policy, a review of the local legal situation pertaining

to the displaced, and an examination of the response of different international and local agencies as well as recommendations.

"10. UNHCR has been present in Sri Lanka since 1987, when it began to assist with the repatriation and reintegration of Tamil refugees from India. The repatriation programme continued intermittently (when conditions allowed) until 1995. At the same time, UNHCR became progressively more involved with Sri Lanka's growing population of IDPs, many of whom were to be found in the same areas to which the refugees were returning. In 1990, the Government of Sri Lanka formally asked UNHCR to provide assistance to IDPs on both sides of the 'forward defence line' (FDL). This arrangement was formalised in a 1993 Memorandum of Understanding between UNHCR and the Sri Lankan government. The extension of UNHCR's mandate to cover assistance to IDPs in Sri Lanka was agreed by the UN Secretary General in 1991 and reaffirmed in a March 1997 letter from the UN Secretary-General's office, stating that UNHCR "may continue to co-ordinate the UN efforts for humanitarian and relief assistance for internally displaced persons in Sri Lanka."

11. According to UNHCR's *Global Appeal 2001*, 412,400 IDPs live in areas where UNHCR has a presence and benefit from its assistance. Some 713,000 IDPs in both government and LTTE-controlled areas also receive some assistance from the authorities. UNHCR operates on both sides of the forward defence line and has regular contact with both the SLA and LTTE, who afford UNHCR staff and their vehicles safe passage.

12. UNHCR's budget for Sri Lanka in 2001 is US\$6.8 million and the programme's objectives as set out in UNHCR's *Global Appeal 2001* are:

to improve access to national protection and humanitarian assistance for IDPs in the north and north-east of Sri Lanka;

to minimise internal displacement and provide alternatives to flight from regions of instability;

to stabilise displaced communities and provide conditions for solutions;

to facilitate the return and reintegration of displaced populations, with particular attention to vulnerable groups;

to advocate for the implementation of policies that protect the rights of the displaced and other victims of the conflict; and,

to extend the capacity of the government, NGOs and displaced communities to respond to displacement and bring about lasting solutions.

13. UNHCR currently has seven offices in Sri Lanka: the Branch Office in Colombo and Field Offices in Jaffna, Madhu, Mallavi, Mannar, Trincomalee, and Vavuniya. These are staffed by 73 personnel, including 13 international professional staff, three JPOs, eight UNVs and 49 national staff. UNHCR's implementing partners in the country include one governmental and 12 non-governmental agencies, the majority of which are national NGOs." (UNHCR May 2002, pp. 4-5)

"[...] UNHCR Sri Lanka has [...] initiated, in collaboration with its Non Governmental Organisation (NGO) partners, a Situation Analysis on Internally Displaced Persons (IDPs). A major component of the Analysis will be the use of the Guiding Principles on Internal Displacement as a standard to gauge the condition of Sri Lankan IDPs. The analysis will ultimately serve as an advocacy tool for disseminating the Guiding Principles and enhancing awareness about the plight of IDPs in Sri Lanka amongst Government, civil society, donors, UN and other agencies.

### Objectives

The compilation of a comprehensive analysis on the present situation of Internally Displaced Persons in Sri Lanka using the Guiding Principles on Internal Displacement as a benchmark to highlight shortcomings and

identify successes. The report will contain an overview of the condition of the internally displaced in Sri Lanka including current national and international policy, a review of the local legal situation pertaining to the displaced, and an examination of the response of different international and local agencies as well as recommendations." (UNHCR January 2001)

*See also: UNHCR's programme for internally displaced persons in Sri Lanka, Report of a joint appraisal mission by the UK Department for International Development and UNHCR, May 2002*

*"2001 Global Appeal -Strategies and Programmes, Sri Lanka", UNHCR, December 2000 [External link]*

### **ICRC in Sri Lanka (March 2002)**

- ICRC started water and sanitation work in 1995 in Jaffna and from there moved into the Vanni when thousands of displaced people moved into that region, carrying drilling and rehabilitation operations.
- The ICRC water access programme aims for a close collaboration with the government and the local authority to increase community involvement at all levels.
- ICRC water and sanitation assistance also extends into the so-called 'Grey' areas, which are settlements in close proximity to the 'uncleared' areas of the north and east.

#### **"The Sri Lankan Operation in the Vanni**

In Sri Lanka, water and sanitation work began in 1995 when the ICRC provided safe water to displaced people in Point Pedro, on the Jaffna Peninsula. Thereafter the operation moved into the Vanni when thousands of these displaced people moved into that region. Since then the drilling and rehabilitation of tube wells as well as the rehabilitation of open wells has been carried out in that region. In all, 173 tube wells in the Mullaitivu and Kilinochchi district have been worked on since 1996. The decision to currently concentrate on tube wells was taken because most of the traditional open shallow wells tend to dry up during the drought months. Deep tube wells rarely run dry even in the drought. Women and children are most affected by the shortage of well water, as they have to walk far to fetch their water supplies sometimes from unsatisfactory sources such as irrigation canals

Initially tube wells were dug using manual drilling equipment because mechanical equipment was not permitted into the Vanni at that time. Digging wells in this manner is an arduous task at the best of times, and each operation took at least seven days. Some of the older existing wells had bucket pumps while others had hand-pumps. The ICRC uses appropriate technology – or a mix of technology – according to the needs of the situation. These include the use of locally made hand-pumps, bucket pumps or India Mark 3 pumps when the well is deep and a high yield is required. The ICRC was the only organisation that could bring these pumps into the Vanni because of the special relationship forged with the relevant authorities.

#### **Community Participation**

The ICRC water access programme aims for a close collaboration with the government and the local authority to increase community involvement at all levels. A system of reporting the repair and rehabilitation needs of these communal wells have been set up that involves local NGOs and the administration. These requests are consolidated at the Government Agent's level and then assessed

independently by the ICRC before actual work is carried out with priority given to the areas in greatest need.

In addition the ICRC promotes the formation of local water committees within the communities which are tasked with the general upkeep of the water source. The ICRC runs a half-day training programme for caretakers of the India Mark 3 pumps, with two caretakers entrusted with one pump. They are also supplied with basic tools, a handbook and Grease for their job. Last year forty caretakers entrusted with the maintenance of 20 pumps were trained in the Vanni.

Eventually the ICRC hopes to make the system more self-sustaining with Technical Officers with the required training placed in the needed areas. In October 2000 a Pilot Training Programme was run in the Vanni. It was a capacity building programme for these Technical officers in collaboration with CARE, FORUT and OXFAM where training literature and handbooks were provided. A larger scale training programme is planned for the current year. The Technical Officers will be made responsible for the maintenance, technical support and supervision of the tube wells in conjunction with the pump caretakers.

#### **....And outside the Vanni**

ICRC water and sanitation assistance also extends into the so-called 'Grey' areas, which are settlements in close proximity to the 'uncleared' areas of the north and east. Here government workers are often reluctant to work because of the uncertain security situation and the ICRC has filled in to provide these services. Some of these areas are in the Polonnaruwa district on the border of the Trincomalee and Batticaloa districts. Most of the wells in this area were drilled by the Mahaweli Authority between 1992 and 1994. However due to a lack of maintenance many were not working and the ICRC has rehabilitated 142 wells in this area and they are providing water again to the needy.

Kantheagama is one such affected hamlet in Polonnaruwa. There the ICRC staff arrived one day with a compressor. They dismantled the pump in the only tube well, which was not working, and then inserted a tube. In a short while water gushed out of the hitherto dormant well, and after a few parts were replaced in the pump, things were as they should be. For the villagers of Kantheagama, it was finally a great relief to see water gushing out of the well." (ICRC 15 March 2002)

#### **Confusion about the nature and scope of the mandates of various aid agencies (October 2001)**

- Inefficiency and irresponsible passing on of responsibility due to confusion on the mandates of various aid agencies.
- Aid agencies work within the framework dictated by Government with little critical input.

"(...) there is confusion with regard to the nature and scope of the mandates of the various aid agencies currently working in Sri Lanka. As a consequence there is inefficiency and an irresponsible passing on of responsibility. It is unclear, for instance, as to which agency is mandated to address the island wide protection needs of IDPs: both the ICRC and UNHCR work in the uncleared areas; the UNHCR does not work in Puttalam, nor in Batticaloa and Ampara. WFP food deliveries are subject to month long delays during which the Social Services Department may meet some of the food needs of IDPs by relying on their meagre buffer stocks until those run out. Furthermore, Aid agencies function within the framework dictated by the Government and the Security Forces, with little critical input. For instance, the UNHCR recently relocated IDPs in Vavuniya in land given by the Government in a location close to the front line and suspected by IDPs to be a buffer zone." (CPA October 2001)

## Profile of programmes and activities on behalf of residents in Welfare Centres (September 2000)

"Following is a summary of the profile of the programmes and activities of organisations working in the Welfare Centres or on behalf of residents of the welfare Centres.

Organisation	Nature of Involvement	Location(s)
1. Community Trust Fund	Provision of legal assistance to displaced Muslims from the Northern province and creating awareness re their rights	Puttalam, Anuradhapura and Kalutera
2. Family Rehabilitation Centre	Provision of psycho-social support for welfare centre residents Mobile clinics, awareness raising programmes re reproductive health, nutrition, STD	
3. Forum for Human Dignity	Legal aid to arrested persons including those from welfare centres. Human rights advocacy work, e.g. pass system	Vavuniya
4. FORUT	Focus on rehabilitation and relocation of IDPs Water and Sanitation Community mobilisation Micro-credit - income generation projects Education	Jaffna, Puttalam, Vanni, Vavuniya
5. G. A Vavuniya	Registration and Providing basic assistance to displaced in welfare centres (shelter, sanitation etc.)	Vavuniya district
6. Home for Human Rights	Provision of legal aid to arrested detainees	
7. Human Rights Commission (HRC) Vavuniya	Provision of legal aid to arrested detainees, including IDPs	Vavuniya
8. Lanka Jatika Sarvodaya Shramadana Sangamaya (Inc.)	Water and sanitation Pre-school teachers training, provision of school furniture Psycho-social activities Children's camps, excursions, sports Health and nutrition, first aid training Medical clinic for mothers and children Income generation projects Emergency relief assistance	Anuradhapura, Jaffna, Mannar, Pollenarawa, Puttalam and Trincomalee
9. Min of Health	Healthcare, malaria campaign jointly with PSL	Country-Wide
10. MSF(H)	Provision of psycho-social support for welfare centre residents and local population in Vavuniya district	Vavuniya
11. OXFAM	Water and sanitation Health education Sustainable livelihood	The Vanni
12. Population Services Lanka	Healthcare, malaria campaign jointly with the MOH	Vavuniya district

13. S.E.D.E.C	Provision of dry rations, infant milk, NFRIs, educational assistance, mobile clinics, death assistance, travelling expenses for medicare Provision of temporary shelter in view of resettlement, watsan, clothes, kitchen utensils, income generation projects Nutrition programme for school going children, uniforms, scholarships, support to health and teacher volunteers	Trincomalee, Batticaloa, Mannar, Madhu, Vanni, Jaffna and Anuradhapura
14. S.E.E.D	Community mobilisation and training programme for women in a welfare centre Income generation Solid waste management project Resettlement	Vavuniya
15. SC Norway	Nutrition programme for children under 5 in welfare centres Set up play areas Child care, women's empowerment Training programme for caregivers	Vavuniya
16. SC UK	Intervention in welfare centres limited. In Mannar, we supported about 70 children from the welfare centres to gain access to primary education in government schools by providing essential school stationary. And in Anuradhapura and in Jaffna, we distributed NFRIs to IDP families.	Mannar, Anuradhapura and Jaffna
17. Sewa Lanka	Micro projects, RLFs, infrastructure projects	Vavuniya, Trincomalee
18. Survivors Associates	Stress management for widows Empowerment, entrepreneurship, Community mobilisation, Revolving Loan schemes, leisure activities (playgroups)	Kalmuani, Vavuniya, Mannar.
19. UNHCR	Support for access to National Protection, advocacy for durable solutions, support for community mobilisation, support for durable solutions	Vavuniya, Mannar, Trincomalee, Kilinochchi, Mullaitivu, Jaffna
20. UNFPA	Reproductive health, family planning, STD	
21. UNICEF	Distribution of school uniforms to children in welfare centres Parental and Teachers awareness programme re importance of education Literacy classes for drop-outs, library, play areas, provision of furniture for schools, nutrition training programme	Vavuniya, Mallavi, Jaffna, Trincomalee, Batticaloa
22. WFP	Food distribution in government welfare centres	Vavuniya, Mannar, Ampara, Anuradhapura, Kurenagale, Puttalam

23. ZOA	Relief assistance Water and sanitation Vocational training of youth RLF's Psycho-social projects (playgrounds in welfare centres)	Trincomalee, Mannar, Batticaloa
24. UNHCR	Social mobilisation project implemented by SEED Enhancing access to national protection of IDPs in Welfare Centres Advocating for and facilitating solutions outside Welfare Centres	Vavuniya Trincomalee, Madha, Mallavi, Mannar, Jaffna

(UNHCR September 2000, pp. 49-50)

### UNDP in Sri Lanka (July 2000)

- UNDP supports rehabilitation activities for the conflict-affected areas mainly through capacity building at the Government and local community level with a special focus on operational activities in the Jaffna peninsula.
- Resettlement activities have focused on Mine Action activity, micro enterprise and general support to Resettlement Offices and resettlement activities.
- Since the upsurge in fighting in the Jaffna peninsula in May 2000 UNDP's rehabilitation activities have been put on hold and it has helped UNHCR with relief and assistance activities.
- UNDP emphasizes capacity building in its struggle against poverty.
- A landmine-clearing project was launched in June 1998 on the Jaffna peninsula, but it was initially hindered by government bureaucracy and further delayed until July 1999 when a mine action team arrived in Jaffna.

"UNDP has supported rehabilitation activities for the conflict-affected areas, both in terms of capacity building of government, and at the local community level. These activities, which started in 1996, focus primarily on direct operational activities in the Jaffna peninsula, but also included support to Resettlement and Rehabilitation Authority for the North (RRAN) for capacity building. In view of the difficult operational and logistic facilities as well as the security situation in Jaffna, a common UN logistic Support Centre, funded and operated by UNDP, was established to provide start-up logistical support and facilitate the launching of rehabilitation programmes. Under Jaffna Resettlement and Rehabilitation Programme (JRRP), economic sector activities in livestock, poultry, fisheries and agricultural sector have been supported. Social sector activities included health, vocational training programme, governance and direct capacity building support activities channelled through support to Government Agent's office. Support was also provided to re-equip the Jaffna technical college.

Under resettlement component, UNDP has focused on Mine Action activity, micro enterprise and general support to Resettlement Offices and resettlement activities. The mine action programme has been critical to overall resettlement and rehabilitation, targeting both the reduction of landmine related injuries and the surveying of mined areas, for demarcation and/or clearance, thus freeing up productive land and allowing resumption of normal activities. The mine action programme also aimed to develop local management capacity to deal with the problem of mines. Activities in local economic recovery have focused on provision of credit through existing community based organisations coupled with the capacity-building of these organisations, development of local entrepreneurs and support to small business initiatives.

However, due to the latest escalation of war in the Jaffna peninsula in May 2000, UNDP has put most of its rehabilitation programmes on hold and has extended the use of project assets and staff capacity to backstop UNHCR in the delivery of relief and humanitarian assistance." (OCHA, 6 July 2000, pp. 109-110)

"In Sri Lanka UNDP has emphasized capacity-building in meeting its first priority - poverty alleviation. It has identified four critical and interrelated areas for poverty alleviation: good governance, sustainable livelihoods for the poor, the advancement of women and environmental regeneration. It is working with the United Nations as a whole in its development, humanitarian, and peace-building activities. It also targets both the reduction of land-mine-related injuries and the identification and demarcation of mine fields." (WFP July 1999 p. 45)

"In June, the United Nations Development Program (UNDP) launched a long-awaited landmine clearing project on the Jaffna peninsula, where U.N. officials estimate ten to fifteen people a month are killed and injured by mines, unexploded mortars and artillery shells. The project got off to a slow start, apparently hindered by government bureaucracy, and in August the U.N. team threatened to cancel the project altogether if they were not allowed to bring crucial radio and communications equipment into the area, which the government apparently feared might be stolen by the LTTE." (HRW 1998, p. 210)

After further delays following a withdrawal of a map of locations of landmines by the Ministry of Defence, the second phase of the landmine removal programme was initiated in the beginning of July with the arrival in Jaffna by a team of ten mine detection experts and four sniffer dogs. The arrival of the mine action team together with a mine awareness programme is seen as a major step forward to reduce landmine casualties and to release land and resources to the people of Jaffna. The work to identify and mark landmine areas will prioritize land around schools to ensure safety of school children. The LTTE has reportedly assured not to plant mines in areas that have been cleared.

The mine action programme has reportedly received funding from the Netherlands and from Australia through the Australian Agency for International Development (AusAid). (BRC February 1999"; Sri Lanka News Update 13 July 1999

## NGOs

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### **CARE is engaged in two project involving IDPs (January 2002)**

- From 1956 to the mid-1980s, CARE focused on food support to vulnerable mothers and children.
- The capacity building of community based organisations in Jaffna aims to strengthen 20 co-operative societies and savings and credit groups to enable them to provide sustainable financial services.
- The initiative is aimed at helping the most poor and vulnerable returning refugees to build savings, access credit, rebuild livelihoods and kick-start economic growth.
- This project builds on that tradition to provide communities with a range of microfinance services.
- The Vulnerable Groups Organised in Conflict Areas (VOICE) aims to strengthen existing civil society structures to act as channels for the expression of the needs and rights of all members of the community, including the most vulnerable.

CARE International began work in Sri Lanka in 1956. Until the mid-1980s, core programmes in Sri Lanka focused on food support to vulnerable mothers and children. In 1987, these programmes were turned over to the Sri Lankan government and the country office further diversified programme activities to include agriculture and natural resource management, micro-finance and economic activities development.

**Project Title: Capacity Building of Community Based Organisations in Jaffna (CAB-JAFFNA)**

This project aims to strengthen 20 co-operative societies and savings and credit groups to enable them to provide sustainable financial services. CAB-J targets 1,700 households for improved access to financial services and 20 Community Based Organisations for improved capacity to manage microfinance. The project also aims to encourage more independence for women to support their financial status. The initiative is aimed at helping the most poor and vulnerable returning refugees to build savings, access credit, rebuild livelihoods and kick-start economic growth.

A study by CARE confirmed a high and unmet demand for microfinance facilities in Jaffna. Commercial banks have added to the situation by hindering the accessibility of credit to poorer members of the community and mobilising capital by transferring the majority to Colombo.

The Jaffna peninsula has been the focus of continuing conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam since 1983. However, despite the massive physical damage and displacement of people, the strong local tradition of co-operative societies continues to survive. This project builds on that tradition to provide communities with a range of microfinance services. Jaffna has a strong tradition of Co-operative Societies dating back to the early 1900s. However, the conflict and subsequent displacement of people has damaged the structure and eroded the assets of most Co-operative societies. This project therefore will build on existing strengths and tap into Co-operative societies to provide their communities with a range of microfinance services. CAB-JAFFNA also aims to encourage women to participate in the largely male-dominated Co-Operative Societies to promote women savers, borrowers and leadership roles.

The British government's Department for International Development (DFID) funds CAB-JAFFNA. The project started in July 2000 and finishes in July 2002.

**Project Title: Vulnerable Groups Organised in Conflict Areas (VOICE)**

This civil society project aims to give a voice to vulnerable people whose lives and livelihoods have been adversely affected by the long-running civil war in Sri Lanka. It aims to contribute to the resolution of the ethnic conflict and to help rebuild civil society in affected areas.

The roots of Sri Lanka's 18-year-long conflict lie in its historical, political and geographical background, and ethnic and religious composition, and inequalities between groups. The majority of Sri Lankans are from the Sinhalese ethnic group who are mainly Buddhists. The largest minority ethnic group are Tamils, most of whom are Hindus. Most ethnic conflict is between the Sinhalese and Tamil groups; however, there is a significant Muslim population that has regularly been caught in the crossfire.

During the years of war, people living in conflict-affected areas have been marginalised, especially women, single parents (mainly women) and internally displaced people who have lost their livelihoods. Support to these groups from local organisations and the civil administration is limited. Therefore, VOICE aims to strengthen existing civil society structures to act as channels for the expression of the needs and rights of all members of the community, including the most vulnerable.

VOICE will help organisations to identify their strengths and weaknesses and draw up a long-term plan for their own development. In addition, organisational training and technical assistance will be provided. Although the direct beneficiaries will be the participating organisations, the project will eventually reach around 10,000 people living in the project areas.

VOICE started in 2000 and finishes in 2003. It is funded by the British government's Department for International Development (DFID).

*For more information on CARE's activities with IDPs see also "[Micro projects](#)" [[Internal link](#)] and "[Rehabilitation Assistance Project for the Internally Displaced Phase II \(RAPID II\)](#)" [[Internal link](#)]*

### **MSF activities on behalf of IDPs (December 2001)**

- MSF focus in Sri Lanka is on those affected by the war.
- MSF surgical intervention takes place in Point Pedro (on the Jaffna Peninsula), Vavuniya, Mallavi, and Batticaloa.
- MSF provides aid to displaced people in two camps near the town of Madhu and in Vavuniya, MSF has also helped set up community-based psychosocial services for displaced people and residents.
- On the Jaffna Peninsula, MSF aids some of the area's 150,000 displaced people by monitoring the nutrition situation of the population and carrying out epidemic surveillance.

"MSF's work in Sri Lanka is dominated by aid to victims of the country's civil war, which has taken the lives of over 60,000 people and displaced about a million others over the last fifteen years.

Although a relative calming of the fighting has permitted the return of some displaced people to their homes, wounded civilians and combatants continue to flock to medical facilities.

#### **Surgical care**

MSF surgical intervention takes place in Point Pedro (on the Jaffna Peninsula), Vavuniya, Mallavi, and Batticaloa. MSF supports hospital surgical units in the four locations, where, in 2000, over 11,000 people underwent surgery. In Batticaloa, the burn unit was refurbished. In Mallavi, support also extends to the hospital's pediatric, gynecology, and obstetrics departments.

#### **Other assistance**

Near the town of Madhu, MSF provides aid to displaced people in two camps, with a special focus on antenatal care, and refers people to hospitals in Vavuniya and Mallavi as necessary. Mobile teams in these areas reach villages isolated by the shifting front lines. In Vavuniya, MSF has also helped set up community-based psychosocial services for displaced people and residents. Elsewhere, in Puthukkudiyiruppu, MSF supports the public health system, with special attention to mothers and children.

An MSF project in Murankan, which included hospital care and mobile clinics, finished in December 2000. At this time, an easing of the conflict in this area allowed Sri Lankan personnel to return to the hospital.

On the Jaffna Peninsula, MSF aids some of the area's 150,000 displaced people by monitoring the nutrition situation of the population and carrying out epidemic surveillance. MSF works to inform and coordinate relevant local actors. In addition, two pediatricians offer consultations at the Jaffna Teaching Hospital, where MSF also supplies medicines and medical material for the pediatrics department. Emphasis there and in the surrounding district is on care for children and pregnant women.

MSF began work in Sri Lanka in 1986.

International staff: 43

National staff: 178

### **OXFAM Australia helps communities deal with human right violations (December 2001)**

- In January 2002, OXFAM Australia started the Sri Lanka Human Rights Advocacy Program aimed at helping the most vulnerable dealing with human rights violations

"The Sri Lankan Human Rights Advocacy Program began in January 2002, working to equip local communities to deal with human rights violations. This has been achieved through training, setting up regional and national networks working on human rights, designing human rights manuals and leaflets to distribute in the community, and creating a database to record human rights violations.

Within the short period the program has assisted women in particular to: report rape, discuss and seek redress on domestic violence, obtain compensation from the state due to losing the family breadwinner in Sri Lanka's ongoing war, obtain "Samurdhi" (welfare payments for the poor) and obtained birth, death and marriage certificates from the government. Although it is their basic right to have access to these documents, poor and illiterate people are usually unable to get them, and as a result lose out on many entitlements. For example, children cannot be admitted to school without birth certificates, and birth certificates cannot be obtained if the parents have not registered their marriage. Compensation is also refused for families if a death is not officially registered." (OXFAM

### **Caritas provides relief and training to those affected by the internal conflict (2002)**

- Caritas focuses on communities affected by the ongoing internal conflict, by providing essential relief items such as food particularly to undernourished children, the elderly and the sick.
- Caritas Sri Lanka also provides water and sanitation, shelter and educational assistance and income generation opportunities to resettled communities in the East of the country.
- Caritas Sri Lanka also provides skills training and income generation projects

"Caritas Australia has been supporting the work of Caritas Sri Lanka for the past 18 years focussing on communities affected by the ongoing internal conflict.

The agency provides essential relief items such as food particularly to undernourished children, the elderly and the sick. Mobile medical clinics are provided in areas where there is no access to government health clinics and a porridge program is conducted in schools and pre-schools. The porridge is not only a source of nutrition for hungry students but also a way of keeping the students in schools and not joining the armed conflict.

Caritas Sri Lanka also provides water and sanitation, shelter and educational assistance and income generation opportunities to resettled communities in the East of the country.

In the long road towards peace, Sri Lanka must put in place conditions that will build and strengthen a commitment to peace in all areas of society. While the conflict is concentrated in the north-east of Sri Lanka, the whole of the country is affected by the war, and so, Caritas supports projects which work towards building a culture of peace and reconciliation.

One example is the Centre for Performing Arts which brings together youth from various villages to form a cohesive family of artists where the ingrained barriers of creed and caste can be overcome. Based in the Jaffna peninsula, the Centre embraces the cultures of all the communities living in Sri Lanka and makes it accessible to each community.

Sinhalese folk dance and drama is performed for the Tamil community and visa versa. The Christian devotional plays are performed through Sinhala and Tamil art forms, attracting audiences from all communities. Youth from both the North and the South perform in these dramas. This gives them an opportunity to build positive relationships.

Sri Lanka has a high youth unemployment rate. Recruiting young people into the armed forces has been one of the government's responses to this problem. Caritas Sri Lanka provides an alternative by providing skills training and income generation projects. These young people are more likely to provide positive contributions to their community." (Caritas Australia 2002)

### **FORUT's rehabilitation program for IDPs (October 2000)**

- FORUT is primarily involved in rehabilitation programmes with IDPs in the Jaffna peninsula.
- Similar activities are conducted in Vavuniya and in Puttalam.

"This project was born as a reaction to the needs of internally displaced persons and refugees returning home. The goal is to assist the war-stricken population to return to normal life as soon as possible, whether they have settled in their old villages or in new places.

The rehabilitation programmes is primarily aimed at the northern part of Sri Lanka, especially the Jaffna Peninsula, now controlled by the Government Army. FORUT also assists internally displaced persons in Vavuniya in the border area between Sinhalese and Tamils, and in Puttalam, where Muslim refugees have settled. Due to military operations north of Vavuniya, rehabilitation is difficult in the Vanni area.

The project programme:

Education - early childhood development, basic education, libraries

Credit for agriculture, fishing and small businesses

Rehabilitation of water and sanitation systems, shelters and local infrastructure

Preventive health care and first aid by voluntary health workers

Vocational training

Temperance and environment work

Organizational development, training and development of banks

#### Jaffna

As part of a network of international organizations FORUT started a new rehabilitation project in Jaffna in 1998 with the aim to help the war stricken population to return to normal life with improved living standards. This implies primarily providing shelters, clean drinking water and adequate sanitation and renovation of dirt roads and school buildings. The development of communities and local organizations are important elements of the programme. Organizational development forms the basis for democracy, and active participation gives a sense of ownership, ensuring sustainable development. The FORUT office in Jaffna is headed by a Norwegian resident representative.

#### Vavuniya

The project encompasses several villages. Saving groups ensures a capital to be loaned out for new enterprises and income generating activities. The repayment rate is very high. Pre-schools with 300 children and 12 teachers are in operation. Toilets have been built and plants are produced and distributed as part of the environmental work. Temperance work engages school children and adults alike. Unemployed young women from three villages have received vocational training in sewing, needlecraft and weaving.

#### COMTEC

This project is divided in three: Vocational training, production of goods for sale in the district and computer training. Each year 300 students are trained and qualified for working life. Internally displaced persons in Vavuniya are also admitted. The production unit is continuously producing tables, chairs etc that are sold to schools and offices. The UN High Commissioner for Refugees is an important partner, and FORUT contributes with 40 % of running costs for training and administration.

### Medawachiya

The FORUT programme reaches villages that have been affected by war. The villages have a population of 1437 families. Ten bank units with a capital of Rs. 460,000 and 1200 accounts are registered. Seven cooperative shops with 420 members are in operation; 371 toilets are completed, 700 children are immunized against polio, 90 youths have received vocational training in a building procured by FORUT, while the UNHCR have catered to the running of the school.

### Puttalam

Activities are aimed at internally displaced persons from the North who are resettling in order to live as normal life. Pre-schools and schools are run with the support of mothers committees procuring equipment and material. There are several libraries with youth clubs also engaging in temperance work. The repayment rate for loans to women is 95 %. There number of toilets and wells are nearly sufficient.

Due to military operations in the north and east, the situation is still very uneasy, and getting in supplies is difficult. The presence of international NGOs is crucial to the rehabilitation efforts and to look after the interests of the vulnerable population.

The situation is traumatic to the local groups and sivil population, who are under a strong pressure due to the movement of people during the war. Parts of the population who had taken the step over from a stage of relief aid to rehabilitation, were again set back due to acts of war. The need for rehabilitation of the infrastructure and the human aspects are extremely important in order to raise the quality of life. Collaboration with local organizations involves a contiuous transfer of skills and competence. FORUT spends a lot of effort on organizational development in the target groups." (FORUT 31 October 2000)

*See also "Policy Paper: Sri Lanka", FORUT, July 1998 [External link]*

### **Save the Children's response to internal displacement (May 2000)**

- SCF works in 4 main districts: Jaffna, Mannar, Trincomalee and Anuradhapura
- SCF addresses social and psychological needs of IDP children as well as education issues.
- Jaffna: community-based counselling services, network of children's clubs, child-centered mine-awareness programme
- Tricomalee: education for IDP children
- Mannar: support of informal education programmes, fostering dialogue between IDPs and host community
- Anuradhapura: supports initiatives to increase awareness of reproductive health issues among young people, advocacy to improve education and helath services

"Save the Children's work with displaced children focuses on four main districts: Jaffna, Mannar, Trincomalee and Anuradhapura. Much of this work aims to address long-term protection issues by helping children, including displaced children, to cope with the social and psychological consequences of conflict, and by introducing as much 'normality' as possible into children's lives.

In Jaffna, a network of children's clubs has been set up which allows children space to play and develop non-violent, problem-solving techniques and social skills. A number of community-based child counselling services have also been established with partner organisations.

In Trincomalee, the work focuses on education for young, displaced children and helping displaced children who have lost their birth certificate to gain a replacement.

In Mannar, Save the Children is working to fulfil displaced children's right to education by supporting informal education programmes and advocating for the removal of restrictions on formal education. A second programme in Mannar aims to foster positive interaction between displaced and host communities, and encourages the two groups to work together to resolve issues relating to children.

Save the Children also works to protect children from the immediate dangers of conflict. In Jaffna, it runs a child-centred mines awareness programme for young people out of school and, in Anuradhapura, it is working to protect children, particularly adolescent girls, from sexual abuse and exploitation. Save the Children is also supporting initiatives to increase awareness of reproductive health issues among young people in Anuradhapura and is carrying out advocacy work with the Government, NGOs, and members of the local community to improve health and education services in the border region.

At a national level, Save the Children is planning to launch a major campaign to increase public awareness of the impact of armed conflict on children, with the aim of increasing pressure on the Government to end violations. The campaign asks all Sri Lankans to wear a safety pin on their lapel as a symbol of their support for the campaign's objective of keeping children safe from armed conflict." (SCF-UK 8 May 2000, pp. 128-129)

### **The Consortium of Humanitarian Agencies (CHA) (May 2000)**

- CHA fosters and facilitate pro-active program co-ordination within the areas of relief and rehabilitation through information sharing and polica dialogue.

"The 'Consortium of Humanitarian Agencies' (CHA) was established in 1997 as a successor to the "Consortium for Relief and Rehabilitation". The objective of the Consortium is to foster and facilitate pro-active program co-ordination within the areas of relief and rehabilitation. For that purposes it engages in information sharing and policy dialogue among its members and other stakeholders. Within the Consortium, separate groups have been established for the North and the East, who meet regularly to share information and discuss future plans and activities. The Consortium also plays a vital role in disseminating such information and more analytical assessments to a wider audience through its bulletin and newsletters. Next, CHA also attempts to link up with policy initiatives such as the present Framework for Relief, Rehabilitation and Reconciliation initiated with World Bank support by the government of Sri Lanka. Here CHA has established a separate working group that will comment on the different components of the Framework, but also assist in the implementation of a series of district workshops to identify main issues in relation to relief, rehabilitation and reconciliation. Finally, CHA is instrumental in establishing and supporting the district NGO Consortia." (DRC May 2000, pp. 11-12)

### **Danish Refugee Council's activities on behalf of IDPs (May 2000)**

- DRC focuses on rehabilitation work with special attention paid to the questions of displacement and resettlement
- Geographical focus is on Mannar and Vavuniya Districts, while an assessment of Trincomalee, Anuradhapura and possibly Puttalam districts is planned
- Target of DRC's programmes: communities, which are affected by displacement or involved in resettlement (or relocation) of internally displaced people.
- DRC is aiming to place itself - organisationally – between relief and development and look at the more long-term rehabilitation needs – especially those of a socio-economic nature.

"DRC Sri Lanka concentrates on rehabilitation work in areas of relative stability with special focus on questions of displacement and resettlement. The overall goal of DRC in Sri Lanka is to secure durable solutions to the many problems faced by the internally displaced people (IDPs) in the wake of war. To achieve this the DRC Program entails two components: **rehabilitation work and capacity building**.

The **objective** of the DRC Program in Sri Lanka is establishment and strengthening of sustainable livelihoods of IDPs. More specifically, the immediate Program objectives are:

Establishment and strengthening of sustainable livelihoods of *individual IDPs*;  
Establishment and strengthening of sustainable livelihoods of *IDP households*;  
Establishment and strengthening of sustainable *community structures* in communities where IDPs live;

The Sri Lankan context is not yet "post-conflict", as war is going on in the northern parts of the country. Yet resettlement and rehabilitation is possible in some areas, but it requires flexibility in planning. For that purpose DRC operates with at least three contextual **scenarios**:

- (1) *the military conflict continues to directly affect the lives of people in the project area for the next 2-3 years;*
- (2) *a short period of increased war activities followed by a longer period of relative peace – maybe with prolonged peace negotiations interrupted with minor incidents;*
- (3) *a negotiated peace process is initiated and – with its setbacks and derailment – it gradually gains momentum;*

At present we are largely in scenario 1, but we expect to move into scenario 2. The situation, however, differs from district to district and even within districts. It is possible that one district primarily fits with scenario one, while another is closer to scenario two. The geographical choice of DRC's Program reflects this almost permanent flux by concentrating on several districts instead of only one.

Initially the **geographical focus** is on Mannar and Vavuniya Districts, while an assessment of Trincomalee, Anuradhapura and possibly Puttalam districts, where there are also a large concentration of IDPs will also soon be carried out. Mannar and Vavuniya lie around the northern frontline, where displacement as well as resettlement takes place. At present DRC only works in the areas cleared by the Government. Trincomalee presents a highly complex situation. There are areas controlled by the LTTE, there are 'cleared areas', there is conflict leading to new displacement, there are people being resettled in their old home places (nobody is being relocated in Trincomalee), and there are people staying in welfare centres. Anuradhapura district has also received IDPs from the northern districts. And since the district shares borders with the directly affected districts, it occasionally also experiences displacement. In Puttalam District there are no direct military confrontation, but a large number of internally displaced people from other districts, some of whom have now relocated – either in new settlement villages or privately. Others remain in welfare centres.

The principles behind the choice of project area would of course be to secure that there is a genuine need for DRC's assistance and presence – in terms of local rehabilitation and capacity building needs. And this should both be seen in terms of the character of those needs and their magnitude (or 'volume').

The **target** of DRC's Program in Sri Lanka is communities, which are affected by displacement or involved in resettlement (or relocation) of internally displaced people. These may be who are people returning or who have already returned to their original home or people settling at a new place. They may also be displaced people who come temporarily – or semi-permanently – to live in a host community.

In order to re-establish and strengthen their livelihoods displaced people first of all need a conducive environment with a certain level of stability – both in terms of security and of political and socio-economic conditions. DRC operates with four areas – infrastructure, productive assets, social structures and security – as the main elements of the situation in which resettlement (or relocation) takes place. Each **situation** will be different – e.g. the degree of destruction of physical infrastructure and productive assets will differ from

one place to the other. Each situation will also move forward at different pace. The optimal situation for livelihood improvement is one, where the infrastructure is intact, people have control over adequate productive assets, the social structures function and they live under secure conditions where their rights are protected. Therefore the rehabilitation intervention of DRC Sri Lanka will contain different **activities** of physical rehabilitation, socio-economic rehabilitation, capacity-building and protection in correspondence with the prevailing situation in a given community.

The **institutional landscape** in the North and East is dominated by international and national agencies focusing on relief or short-term (physical) rehabilitation and a relatively weak government structure. Development oriented organisations are few in this area. Therefore DRC is aiming to place itself - organisationally - between relief and development and look at the more long-term rehabilitation needs - especially those of a socio-economic nature. The program's target is to fill that void, and to encourage other actors - including the Government to adopt a longer-term approach. And DRC is committed to assisting with training and other forms of capacity-building when necessary. In short, DRC aims to also bring relief and development agendas closer together." (DRC May 2000, pp. 1-2)

### **FPASL conducts reproductive health programmes for IDPs (April 2000)**

- FPASL implements a project to improve health and reproductive status of some 69,000 IDPs sheltered in 24 camps in 3 districts.
- General and RH health needs were addressed in the first stage whereas the second stage focused on RH needs of youth.

"The Family Planning Association of Sri Lanka (FPASL) with the funding support from IPPF Trust Fund (Netherlands), has successfully implemented a project to improve health and reproductive status of a marginalized and under-served group of people known as "displaced persons" created in the wake of ethnic war. Health care is one of the areas that these people were not adequately served. The government health care system had not adequately reached the camp community. The deteriorating status of health of these people who lived in temporary make-shift huts in clusters in neglect almost a decade, started surfacing that had dire health consequences. This project helped the FPASL to successfully address the RH and health care needs of some 13,600 families (approximately 69,000 people) domiciled in 24 camp clusters in the three districts.

The project was implemented in two stages. In the first stage it addressed the general and RH health care needs of camp people, Under the 2nd stage project's main focus was the RH needs of youth. The project mobilised community participation and received the support of the leaders of the camp community. The service support the FPA received from government health personnel of the area has been commented upon as a model for excellent cooperation. The project utilized the enthusiastic and energetic services of 420 health workers living in the camps. The support received from the camp leadership and the 24 Health committees was commendable, the enthusiastic support of hundreds of government health care personnel of the three districts, and the encouragement and support extended by government's administrative staff of all three districts have been very valuable. This project was possible because of the funding support by the IPPF Trust Fund (Netherlands) who graciously made funding available to meet the cost which totaled US \$ 92,358.

Displaced persons who were served by this project are still living in the 24 clusters of camps in the three districts, and now they are more healthier. The volunteers, all 420 of them still living in camps, take part in every health activity, are still enjoy a great pleasure in educating people in health and RH. The volunteer peer educators continue educating youth on RH. The government health services are now reaching camp people, and camp people now go for government centres for health care. The midwives and public health inspectors have started serving the camp community. The health volunteers make their work little easier as these health staff can now depend on their support. Most of the 52 part-time counsellors trained and

mobilised, are rendering RH counselling services to youth who need such services. The camp community now have the access to First Aid services which are dispensed by qualified First Aid workers who are known, related, and living in their midst." (FPASL, 15 April 2000, pp. 4-5)

## **Constraints faced by UN agencies and NGOs**

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### **Security and working conditions generally satisfying (December 2001)**

- Tensions or disagreements with local bodies have led the ICRC to temporarily alter some of its activities in certain localities
- Eastern areas of the Vanni have been declared no-go areas since the increase in LTTE military operations there.

"Owing to both parties' respect for humanitarian activities, security and working conditions are generally good in the Sri Lankan context. However, in certain localities, recent tensions or disagreements with local bodies have led the ICRC to temporarily alter some of its activities. In the Vanni, assistance to families headed by widows was temporarily suspended early in the year when the local council of NGOs proposed working arrangements which limited the ICRC's access to beneficiaries. When an agreement was reached allowing the ICRC access needed to monitor and evaluate its programme, activities resumed and roofing material was distributed as planned. When the withdrawal of the LTTE liaison officer in Mallow left humanitarian organizations without the means to maintain adequate security conditions, ICRC operations were slowed until the appointment of a new liaison officer restored the mechanism for notification and problem-solving. ICRC operations there have continued without problems since.

Eastern areas of the Vanni have been declared no-go areas since the increase in LTTE military operations there. The ICRC office in Mutur was temporarily closed in September, following a security incident linked to rising ethnic tensions. Activities which were based in Mutur have been provisionally relocated to Trincomalee, which increases their transport time and slows operations; after Ramadan contact will be made with all sides with a view to reopening the office and resuming activities by the new year." (ICRC December 2001)

### **CARE withdraws from Welfare Centers out of concern for human rights violations (October 2000)**

- There are currently over 160,000 persons in over 400 "Welfare Centers", the worst situations are found nearest to the war front areas in particular in Vavuniya and Trincomalee.
- The residents of these Welfare Centers face severe restriction on their freedom of movement.
- The government alleges that living in the camps improves the protection of the civilians and allows the government and agencies to provide services to the IDPs in a coordinated way. Others have argued that it is not humanitarian considerations but security concerns and control of civilians that constitute the real reasons for the existence of the Centers. The Centers have been used as human shields.
- CARE contend that its involvement in assisting the IDPs in Welfare Centres would make them accomplice of human rights violations, and further involvement in the Centers is supporting a system that not only is a violation of human rights but is also clearly compounding conflict.

"Welfare Centers are camps that were set up around Vavuniya and other places to shelter IDPs from zones affected by the war in the north and the east, and returning refugees from India. The centers were to be temporary transit points for IDPs being resettled elsewhere. There are currently over 160,000 persons in over 400 centers. Many have not been resettled and have passed the better part of the decade there. Different parts of the county have different conditions and levels of restrictions in the Welfare Centers, however the worst situations are found nearest to the war front areas in particular in Vavuniya and Trincomalee.

The residents of these Welfare Centers face severe restriction on their freedom of movement. They can not travel freely outside the Centers. They have no access to employment of any kind. Children require permits to go to school. Efforts to organize and seek better conditions are regularly frustrated. IDPs there depend on handouts provided by the GOSL and United Nations agencies, notably WFP and UNHCR. CARE had previous to 1998 worked in the Centers.

The DNH analysis urged CARE to take a closer look at the impact of its intervention in the Centers, and consequently modify its position. Human rights are violated. The government alleges that living in the camps improves the protection of the civilians and allows the government and agencies to provide services to the IDPs in a coordinated way. Others have argued that it is not humanitarian considerations but security concerns and control of civilians that constitute the real reasons for the existence of the Centers. The Centers are populated by Tamils, which the GOSL does not want to move to other parts of the island. Current policy allows for IDPs only to be resettled within their native district in order to maintain ethnic balances. This policy ensures that durable solutions for IDPs are impossible to find for the IDPs located outside of their native district.

When threatened with attack by the LTTE on Vavuniya, the SLA, in February of this year, refused to allow 5,000-7,000 civilians in the Welfare Centers near major military bases to flee. The Centers have been used as human shields. Finally the Centers are breeding and recruitment grounds for paramilitary groups controlled by the SLA.

Withdrawing from the Centers is controversial. The people living there are among the most vulnerable and marginalized populations in Sri Lanka. However assisting them would involve CARE as an accomplice of human rights violations. The continued presence of these Centers helps to perpetuate divisions between ethnic groups and continue a war mentality. From a DNH perspective further involvement in the Centers is supporting a system that not only is a violation of human rights but is also clearly compounding conflict.

CARE Sri Lanka has a policy of zero tolerance for the Welfare Centers in Vavuniya. CARE will not work inside the Centers nor will it support the work of other agencies and NGOs in the Centers. A more sustainable solution for the people living there is to be relocated either to their original areas of residence or in other regions where they can successfully become integrated with the population and develop more normal living conditions. CARE's approach in furthering this aim is to shift its efforts to a consistent strategy of joint advocacy with other agencies, including UNHCR and WFP (See Advocacy below). A common front with others on the issue permits greater leverage and lobbying capacity so the government modifies its policies on Welfare Centers and resettlement/ relocation." (CARE October 2000, pp. 3-4)

## **Gaps in the assistance**

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**Lack of a coherent government policy on displacement is an obstacle for providing effective protection to IDPs (July 2002)**

- According to the study conducted by the Sri Lanka HRC, every single right spelled out in the Guiding Principles on Internal Displacement was not being fully complied with in Sri Lanka.
- The study concluded that the special needs of the most vulnerable were not being effectively addressed and their rights to life and dignity were being violated.
- Another of the key conclusions was the lack of a coherent policy on displacement.
- The study observed that one of the biggest obstacles is the lack of vision on the part of the government. State policy toward IDPs is vague and constantly shifting. Often the policy is shaped by military factors rather than on recognition of the rights of IDPs.
- What was most lacking was the political will to respond to the needs of IDPs based on a recognition of their rights.

"The study requested by the Human Rights Commission of Sri Lanka strongly highlighted the vulnerability of IDPs as a result of their displacement. Their vulnerability was found to affect every aspect of their lives: the quality and quantity of the food to which they had access; the quality of education their children received; the level of health care available; the types of employment they could engage in; and the housing in which they lived. According to the study, every single right spelled out in the Guiding Principles on Internal Displacement was not being fully complied with in Sri Lanka. While different segments of the IDP population experienced violations differently, harassment, arrests, abductions, rapes, torture, executions, exploitation and imprisonment were part of their general existence. Certain categories of displaced people, such as females and single heads of households, the elderly and the disabled, were particularly vulnerable. The study concluded that these people's special needs were not being effectively addressed and their rights to life and dignity were being violated.

Another of the key conclusions was the lack of a coherent policy on displacement. According to the study:

*Without doubt the most worrying concern is the lack of a governmental framework on displacement or of a clear division of responsibilities among Government Departments and Aid Agencies. No ministry has overall responsibility for the welfare of IDPs nor are there comprehensive policies or guidelines on displacement. Various departments, ministries and aid agencies are responsible for various aspects of relief, protection and assistance. The allocation of ministerial areas of responsibility appears to be driven by political motives, such as securing a vote base.*

The study observed that one of the biggest obstacles is the lack of vision on the part of the government. State policy toward IDPs is vague and constantly shifting. Often the policy is shaped by military factors rather than on recognition of the rights of IDPs. In addition a number of state entities are involved with little coordination among them.

There were some areas, especially with regard to arrest and detention, in which IDPs were particularly vulnerable. Amending the Prevention of Terrorism Act and the Emergency Regulations to bring them into line with international human rights principles was a matter of priority and the study recommended that this was an intervention that the Human Rights Commission was well placed to make.

The lack of a coherent policy and a legal framework constituted obstacles to providing effective protection for IDPs. Yet an effective policy and legal framework were seen as only one part of the solution. What was most lacking was the political will to respond to the needs of IDPs based on a recognition of their rights. Their displacement was the result of conflict. Their rights and the assistance they received were at least until recently also controlled by the imperatives of the conflict.

The discrimination that resulted from the operation of a complex 'pass' system was also highlighted in the report. Those living in 'uncleared areas' or areas controlled by the LTTE had to obtain permission from

both the LTTE and the government to travel south. Many were virtual prisoners in the Vanni as the LTTE imposed stringent restrictions on the movement of civilians in areas under its control. Compulsory training and forced recruitment into its ranks, including of children, was widely reported. Those who lived in the transit point of Vavuniya, which was technically under the control of the state, had to obtain clearance from the security forces to proceed further south. The lack of coordination among the different aid organizations in the distribution of food and other relief was also highlighted. Security concerns, including frequent arrests and abductions, contributed to the vulnerability that IDPs faced. The role of paramilitary groups that until recently officially assisted the Sri Lankan Army was highlighted and the study observed that both the Army and the paramilitary groups were responsible for an unacceptable number of arbitrary arrests, illegal detentions, torture, rape and 'disappearances.' Abduction and extortion of money by the LTTE were also highlighted.

The plight of the displaced was made worse by the then existing government policy regarding the provision of relief and other assistance. Only 50 percent of the dry food rations needed were reported to reach affected areas. Other food items to be sold in Multi Purpose Co-operative Society outlets were overpriced and in very short supply. The study noted that recurrent shortages, delays and sudden blockades had given rise to the allegation that the Sri Lankan Army was using food as a method of combat. The LTTE was also accused of diverting food and other items meant for displaced populations. According to the study, malnutrition was reportedly very severe in the areas under LTTE control.

The embargo on so-called 'war related items' further affected the welfare of those populations. Restricted items reportedly included kerosene, fertilizers, fishing equipment, construction materials, batteries, books, maps and ink, among others. Medical equipment and medicines were also subject to embargoes as well as delays and shortages. Poor hospital and transport facilities further affected the health of civilians in those areas.

The study also issued findings with reference to the role of the regional network of the Human Rights Commission. One of the Commission's strengths is the existence of a broad network of regional centers. When the Commission first took over from the Human Rights Task Force it inherited a network of regional centers. There are currently 10 such centers headed by a Regional Coordinator. In some areas such as Jaffna, Vavuniya, Batticaloa, Ampara, Trincomalee and Anuradhapura, these officers are at the 'frontline' of the conflict and have the capacity to have close and regular contact with IDPs and many of them do. One dimension of the study was to consider how the Regional Offices were dealing with issues relating to IDPs and to look at strengthening their capacity for intervention.

The study concluded that the Commission's Regional Coordinators were not equipped to deal with the problems of IDPs. Their knowledge and awareness was inconsistent: while some had an understanding of the problems faced by IDPs, others did not consider issues pertaining to IDPs as part of their mandate. The Regional Coordinators also faced institutional constraints. Poor infrastructure, inadequate human resources and threats to their personal security prevented them from responding adequately to the concerns of IDPs. The study also concluded that the Regional Coordinators had done little to forge links with local NGOs. Many NGOs had close links with the displaced and were in possession of information that could assist the Regional Coordinators in their work. Yet, interaction with NGOs was ad hoc and infrequent.

The lack of a special desk or unit in the Human Rights Commission's main office in Colombo was another factor highlighted in the report. IDP complaints were grouped with other complaints and until recently the Commission did not focus on IDPs as a distinct category.

The study concluded that both the main office in Colombo and its regional offices did not possess the sensitivity or capacity to respond to IDP concerns effectively. The study noted that the Guiding Principles on Internal Displacement were developed to enhance protection and assistance for more than 20 million IDPs worldwide. For the first time there is an authoritative statement of the rights of IDPs and the obligations of governments toward these populations. The study recommended the adoption of a coherent

policy and legal framework based on the Guiding Principles as a matter of urgency." (Gomez, Mario July 2002, pp. 15-18)

### **UNHCR's limited field presence hampers it's protection role (May 2002)**

- Review team urges UNHCR undertake regular field visits to ensure consistency in the programme and to avoid fragmentation
- UNHCR should continue and step up its advocacy efforts with the government and local authorities
- UNHCR should do more to improve living conditions in the welfare centers.
- UNHCR should establish a field presence in Batticaloa to provide protection
- JRS says UNHCR should do more to protect the civilians and the IDPs. It is reportedly leaving its protection mandate aside and moving towards humanitarian aid.

"[...] there were also several areas where UNHCR could do more to maximise its impact. The review team would therefore urge UNHCR to address the following issues:

the decentralisation of the programme has led to a degree of fragmentation, with the work of different offices reflecting the personalities and profiles of the individuals deployed there. In particular, the team noted the strength of the community services work in Trincomalee and felt that there was scope for similar work in Vavuniya. It was also felt that this work might be renamed 'community mobilisation' and greater beneficiary participation invited to reflect this. The Colombo Branch Office should ensure regular field visits in order to maintain consistency in the programme.

there is scope for continued and redoubled advocacy efforts with the government and local authorities to encourage them to allocate land and resources for relocation programmes, reform the pass system, improve the level of assistance being given to those in their care and increase the opportunities for people to participate in decisions concerning their own lives. UNHCR should also continue and redouble its advocacy efforts with the LTTE.

UNHCR has made efforts to improve living conditions in Government Welfare Centres, but should continue to encourage the government to do more, including in the improvement of material living conditions, services and sanitation. Where this is impossible, UNHCR should try to do more itself to improve conditions.

UNHCR is unable to provide protection and assistance to the vulnerable IDP population in Batticaloa (and the rest of the Eastern Province) because it has no field presence there. The review team therefore felt that UNHCR should give serious consideration to the establishment of a small sub-office in Batticaloa." (UNHCR May 2002, pp. vi-vii)

"We were quite surprised to see that the role of UNHCR is limited to developing a few micro-projects for returnees and the delivery of non-food items to the uncleared areas of Vanni. UNHCR's protection role is not fulfilled in Sri Lanka. While UNHCR's mandate is limited to refugees, and their work with internally displaced persons is guided by the will of the state – based on the principle of sovereignty – one could argue that there is little sense in having an international agency that does not protect civilians or share human rights information with the outside world.

If UNHCR does not speak out about how civilians are suffering, there is little point in their presence. As has been criticised in other situations, such as during the Kosovo crisis, UNHCR is once again leaving aside its protection mandate, and moving towards humanitarian aid. 'The role of UNHCR is very limited. They don't provide security to our people', said members of the citizens' committee in Mannar.

It is hoped that the recently created Senior Interagency Network for Internally Displaced People, led by Dennis McNamara, visits Sri Lanka. If that is the case, a delegation should visit the northern and eastern parts, to monitor the humanitarian situation (especially in the uncleared areas), as well as the human rights situation." (JRS 18 December 2000, p. 16)

## **Recommendations by the IDP Unit (April 2002)**

### ***Recommendations regarding national policies and practices:***

The MRRR, and its counterpart authorities at the district and local levels, need to have their capacities strengthened if they are to effectively address the needs likely to arise as the peace process gains momentum. UNHCR's capacity-building of the ministry should be supplemented by other partners, including those addressing community development and economic recovery. Donors must be encouraged to support this.

The international community should assist the MRRR in its objectives to relocate people from welfare centers, providing that IDPs move voluntarily and that provisions are made for the attainment of basic self-reliance.

It is important that members of the IDP community, especially those representing women and children, be given adequate opportunity for inputs into the design of the MRRR's IDP policy. Further, a public awareness campaign should be undertaken to ensure that all IDPs participate in the registration so that an accurate picture of the IDP situation is obtained to underpin future planning." (IDP Unit April 2002, p. 6)

### ***Recommendations regarding Protection:***

"Projects and activities aimed at fostering reconciliation and peaceful co-existence between the different ethnic groups must be conceived and decisively supported.

The international community, as part of its overall engagement with the LTTE, must mount and sustain pressure on the LTTE to allow IDPs to leave the Vanni to return or relocate to where ever they wish to.

The GSL must be strongly encouraged to sign the Ottawa Land Mine Treaty in order to gain further support by the donor community for de-mining. This should be accompanied by a clear commitment by both the SLA and the LTTE to stop laying mines and to cooperate in the de-mining process, including the provision of all relevant maps.

Full commitment to the agreement not to conscript children is required from both parties to the conflict. This commitment must be accompanied by the release of those conscripted prior to the cease-fire. Similarly, cases of persons previously detained under the Prevention of Terrorism Act should be reviewed and, where appropriate, detainees be released.

Particular efforts need to be made to address the needs of vulnerable women, especially those who are heads of households, in order to enhance their capacity to be self-sufficient. Similarly, specific activities to protect and assist unaccompanied or otherwise vulnerable minors need to be undertaken.

Measures to legitimize and capacitate the police and judicial structures in LTTE-controlled areas should be initiated in tandem with the establishment of the Interim Council so as to ensure that effective protection and conflict resolution mechanisms are in place.

Effective monitoring mechanisms and forceful intervention when and as required, are necessary to ensure respect of basic human rights, including the voluntary nature of return movements. The establishment of an office of the UNHCHR, working in conjunction with the proposed Interim Council that will administer the LTTE-controlled areas, would be a much valued development." (IDP Unit April 2002, pp. 8-9)

#### ***Recommendations regarding durable solutions:***

"Given the dearth of national resources available at this time for sustainable interventions for rehabilitation, reintegration and recovery, the UN system must work with the donor community to ensure that investment in such activities is recognized as an integral part of a peace building process and cannot wait until a peace agreement is concluded.

The development actors should make every effort to include relocated and returned IDPs into their area-based programming in order to accelerate their full integration.

Psychosocial support should be increased to especially vulnerable welfare centre populations, especially women-headed households, to build confidence and reduce dependency in order to achieve self-reliance once relocated or returned.

Because the pace of de-mining invariably lags behind the rate at which IDPs return, it is essential that mine-awareness interventions in at-risk areas of return be heightened, especially among children, and that minefields within areas of return be clearly marked with durable markers.

A detailed analysis is required of the nature and extent of problems likely to be faced in recovering land and property in order to establish adequate and timely mechanisms to deal with this issue. Also, an amendment is required to the ten years land tenure Act to protect IDPs who have been displaced for longer periods from being unable to recover their land and houses.

Since many IDPs want to return to land currently designated as SLA high security zone, the GSL must be encouraged to accelerate its release of such lands for returnees. Likewise, security restrictions on offshore fisheries should be regularly reviewed in order to promote the re-establishment of sustainable livelihoods for returning fishermen.

As the GSL policy transitions from humanitarian support for IDPs to medium-term relocation or return, it is incumbent upon the international community to also make this transition in their support of national authorities, especially at the district and local levels." (IDP Unit April 2002, p. 12)

#### ***Recommendations regarding coordination***

"An IDP Working Group should be entrenched under the umbrella of the RC charged with an oversight function of the UN system's and its partners' response to IDP needs. Such team should include the ICRC, representatives of relevant non-IASC actors, and appropriate national counterparts.

The Country Team assists, where possible, UNHCR's efforts in capacitating the MRRR and its district-level counterparts, as well as with strengthening inter-ministerial coordination mechanisms, and that the IDP Unit provides support for such training.

The donor community must be encouraged to also coordinate its support to ensure that IDP needs are addressed in a comprehensive and holistic manner.

UNDP should make every effort to strengthen its field presence in war-affected areas. Where possible, common premises should be sought with other agencies in order to facilitate coordination and realize economies.

The Country Team and donors should work towards adapting existing trust fund arrangements to facilitate rapid disbursement of resources for urgent IDP needs.

That information sharing mechanisms be strengthened between all actors and between HQs and the field." (IDP Unit April 2002, pp. 14-15)

### **Clear need for a psychosocial intervention that addresses the needs of the Welfare Centre IDPs (May 2001)**

- MSF calls for increased dialogue and social services provision to the displaced.
- In addition to psycho-education the social component should further focus on strengthening of the existing coping mechanisms (meditation, talking to friends/neighbours).

"To focus humanitarian aid only to material restoration and physical needs denies the shattered emotional worlds, ignores the ruined basic assumptions of trust and the benevolence of the human beings. It leaves un-addressed the broken morale and the spiritual consequences of war.

There is a clear need for a psychosocial intervention that addresses the needs of the inhabitants of the Welfare Centres. This program should not only address the events of the past. The majority of the respondents is presently feeling unsafe. The lack of security, the poor living conditions and the ability to move freely must be addressed through an ongoing dialogue with those responsible. At the date of this final version the government has started the resettlement process.

The balance between clinical services and social components is crucial for the success of the program. The respondents indicate that when stressed 'talking' is useful (72%). The majority (82%) is not familiar with the services a counselor can offer. The relevance of using mass (psycho) education tools is supported by the survey indicating (39%) unfamiliar with the concept of stress and unable to identify it (58%).

In addition to psycho-education the social component should further focus on strengthening of the existing coping mechanisms (meditation, talking to friends/neighbours). To counteract 'learned helplessness' the community should be mobilised. The facilitation (instead of taking over!!) of local organisations, camp residents to organise community activities (recreational, skills training, education) should be an integrated part of the program.

A population that is psychologically healthy can prosper and overcome the burdens of the past. Psychologically healthy people can also solve their disagreements in less violent ways. Helping traumatised people is a matter of restoring the bond between the individual and the surrounding system of family, friends, community and society. To overcome mass traumatisation as in the case of the Sri Lankan Welfare Centres in Vavuniya the healing capacity of family and community systems supports people in their coping with extreme stress and more severe mental health problems. Psychosocial and mental health programs are evident tools in this process of adaptation and restoration. The involvement of local people in these programs is of crucial importance." (MSF 31 May 2001, p. 26)

### **International NGOs and agencies could do more on reporting the human rights violations says JRS (December 2000)**

- JRS says international NGOs could/should do more to report human rights abuses they witness while providing relief in the cleared or uncleared areas.
- Local NGOs contend that up to 65% of foreign funding for international NGOs is spent on administration and that local NGOs could "do much more with much less"

"International NGOs have the potential to play an important role as eye-witnesses in the forgotten situation in the north and east of Sri Lanka, but their mandate is limited to relief services as the government can expel them if they go against its wishes. The government uses the NGOs under the principle of state sovereignty. There are some 25 NGOs, the majority of which are international, and there is an NGO consortium.

While understandable, it is unfortunate that many of these NGOs do not speak out about the human rights situation. "The presence of international NGOs is very valuable. But they will not speak out against human rights violations because if they do, they will be thrown out", says the bishop of Mannar. Some grassroots workers argue that international NGOs have a very limited understanding of the situation. 'They come, do the job, and then leave for East Timor or Africa, where there are other crises, at a time when projects have been set up and are growing. Follow up is lacking,' lamented Fr. Paul. Fr Stan, from Caritas Batticaloa, agreed.

Some local NGO workers and members of the citizens' committee estimated that 65% of foreign funding for international NGOs is spent on administration. 'Local NGOs do much more with much less', one priest in Mannar said. 'We are not condemning them, they provide relief to people in need. It would be good that they come to other places in the north rather than staying only in Vavuniya. They pay high salaries. It would be better if they gave local salaries,' according to the citizens' committee in Mannar.

ICRC and MSF have a crucial role to play in assisting the population. ICRC is responsible for escorting the government food convoys that go to the uncleared areas; transferring patients from the uncleared areas to hospital in other parts of Sri Lanka; handing over dead bodies from one place to another; supporting health projects. Since there is very little information flow to the outside world about the situation in both the uncleared and cleared areas, one would expect NGOs to share what they witness, but they adhere to the principle of not taking sides in any conflict. This raises dilemmas about the role of humanitarian organisations in highly controversial situations. 'Some NGOs like ICRC or MSF could play a major role in showing the world what is happening here,' said Caritas Batticaloa director, Fr Stan, adding 'the best way to help from abroad is to hand the money to those who understand the situation and are close to the people, at a grassroots level: parishes, local NGOs, local human rights groups.'

'We need to report protection cases at a higher level, but we cannot inform the government because it will ignore us. They are also among the actors. No government official has ever been accountable for any human rights violation' explain members of the citizens' committee in Mannar." (JRS 18 December 2000, pp. 15-16)

### **No department is taking overall responsibility for the welfare of Muslim IDPs in the north (October 2001)**

- In 2001, a Special Commissioner was appointed to the North-East Provincial Council to coordinate the activities between the North-East Provincial Council and Puttalam, where a greater part of the northern Muslims displaced in 1990 reside.
- However, his mandate is limited and thus his ability to bring about constructive change is questionable.

"In the case of northern Muslim IDPs, no department is currently taking overall responsibility for their welfare or for addressing their grievances. The Ministry of Northern Rehabilitation insists that their mandate is solely for people currently residing in the North. The Ministry for Rehabilitation and Reconstruction of the East, for its part, claims to be mandated to look after Muslim IDPs in Puttalam in the North-Western Province. How this Ministry will assist in the resettlement and relocation of Northern Muslims in the North and assist in the protection of their property is anybody's guess.

In 2001, a Special Commissioner was appointed to the North-East Provincial Council to coordinate the activities between the North-East Provincial Council and Puttalam, where a greater part of the northern Muslims displaced in 1990 reside. His brief is also to look after IDPs while they are physically present in Puttalam. This raises the question of who is responsible for the northern Muslims living in Anuradhapura, Kurunegala and other parts of the country.

The Special Commissioner, who is yet to set up office, hopes to facilitate the registration of voters, births and deaths. The Commissioner however, has to deal with the Governor, North-East Provincial Council, and has no power to deal directly with the central government or other government bodies. The Commissioner hopes that a certain percentage of funds allocated to the North East for specific purposes such as health care and development will be redirected to this office for redistribution in this area. However, his mandate is limited and thus his ability to bring about constructive change is questionable. The Commissioner plans to give work to the 21 displaced 'Grama Niladaris' in his office who are at present receiving salary but are not working. However, it must be noted that only the administrative unit of the North-East Provincial Council is functioning. The Governor currently performs the functions of the absent chief minister.

Meanwhile, a recently appointed, sub-office of the Ministry of Rehabilitation and Reconstruction of the East in Puttalam will coordinate CGES and Social Services Department's work in Puttalam. This ministry does not deal with "uncleared" areas in the East." (CPA October 2001)

### **UN criticised for putting insufficient pressure on the Government 's limited response to displaced children (May 2000)**

- UN criticised for putting insufficient pressure on Government and LTTE over their failure to protect children despite of commitments to do so.

"The UN has the mandate and the authority to represent the concerns of the international community to sovereign governments. One of its main roles with regard to displaced children is to identify failures in their protection and to advocate for these to be addressed. Other, more vulnerable organisations look to the UN to create the humanitarian space in which they can draw attention to protection issues.

In Sri Lanka, the UN has been criticised for not putting sufficient pressure on the Government over its failure to protect children. This is, in part, because the Government is highly sensitive to criticism: when UN representatives in Colombo expressed concern at the loss of civilian life in the attacks by both government and LTTE forces in late September 1999, Foreign Minister Lakshman Kadirgamar was reported in the Sri Lankan press as telling them to 'stick to mosquitoes and malaria' rather than 'overstepping their legitimate mandate in the host country'.

As noted earlier, Olara Otunnu, the UN Special Representative for Children and Armed Conflict, visited Sri Lanka in May 1998 and secured commitments on child rights from both the Government and the LTTE. Otunnu also called for the LTTE to make a public commitment to the provisions of the UNCRC, and reported after the meeting that he was 'encouraged by the LTTE's readiness to have its cadres receive information and instruction on the Convention'.

Otunnu now plans to follow up on that earlier visit with specific recommendations 'to engage the relevant actors in a continuous process of consultation and co-ordination'. However, the criticism remains that the UN has failed to maximise the commitments it has gained from the Government and the LTTE." (SCF-UK 8 May 2000, p. 127)

### **Government's attitude towards the displaced: reports of deficiencies in the assistance provided (May 2000)**

- Government provides for US\$ 1 million worth of relief to the IDPs every year.
- Limited help is provided to the IDPs in the un-cleared areas and Government is suspected of trying to force IDPs out of the LTTE-held areas by cutting relief from time to time.
- In 1991 an embargo was imposed by the Government on "war-related" material to the Vanni region.
- Army accused of forcing people to move into the "cleared areas".
- Military's lack of will to collaborate with the UN agencies and NGOs is one of 'the single most important impediment to effective humanitarian co-ordination'

"The Government provides around US\$1 million worth of relief to displaced families throughout Sri Lanka every year. Those who are registered and who are deemed to be living below the poverty line qualify for food rations and food stamps, while those resettling in 'cleared' areas officially qualify for loans and grants under the Government's Unified Assistance Scheme.

The Government also provides relief to displaced families in LTTE-held areas. Although pointing out that this commitment has not always been sufficient, Francis Deng, the UN Special Representative on Internally Displaced Persons, expressed his support for the policy: 'In a world replete with examples of governments and rebel groups using food as a weapon against civilian populations, the situation in Sri Lanka is one that deserves closer attention, if not more publicity, as an important precedent.'

Others are more critical, arguing that government policy is directed more towards foreign observers than actually providing for the displaced. In particular, they point to the numerous occasions since 1997 when the Government has withheld or cut relief to the Vanni, suggesting an attempt to force displaced people out of LTTE-held areas.

In addition, in 1991, the Government imposed an embargo on the delivery of any goods that might be useful to the LTTE's war effort. As a result, basic essentials such as fuel, kerosene, agricultural supplies, schoolbooks, medicines, soap, prosthetics, chlorine and metals have all been severely restricted. One decision stipulated that white plastic sheeting could be distributed to displaced people on the Jaffna peninsula, but not in the Vanni.

It is also claimed that the Government is significantly underestimating the total number of displaced people in LTTE-held areas so that it can reduce aid levels accordingly. By the same token, the LTTE has been known to overestimate this figure.

Inadequate provision of relief to LTTE-held areas is not the only gap in the Government's protection of displaced children. The army has also intimidated civilians into moving against their will into 'cleared areas' – in contravention of the Government's *Guidelines for Resettlement of Displaced Persons*, which state that the process must be voluntary.

Human Rights Watch reports that, in April 1999, the army overran a UN camp for displaced people in Madhu and forced many of its 10,000 residents, some of whom had been there for ten years, to return home or move into nearby welfare centres. As a result, the centres became overcrowded.

The Government is also reported to have hindered the efforts of the international community to provide relief to displaced families. Lack of collaboration between the military, UN agencies and NGOs has been identified by one study as 'the single most important impediment to effective humanitarian co-ordination' in Sri Lanka.

Government criticism of humanitarian agencies working in the conflict areas has led many to remain silent on crucial issues of human rights and humanitarian needs connected to the war. Verbal attacks by the Government in 1995 led to a press campaign against humanitarian agencies, on the grounds that their activities were supporting the LTTE." (SCF-UK 8 May 2000, pp. 123-125)

## **Reference to the Guiding Principles by national actors**

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### **Guiding Principles on Internal Displacement at the core of UNHCR's protection strategy (May 2002)**

- UNHCR's protection strategy is based on the UN Guiding Principles on Internal Displacement.
- The shift towards needs-driven, flexible project identification and implementation appears to have enhanced stakeholders' sense of ownership of the projects, as well as their ultimate effectiveness.
- A 'Situation Analysis Report' is being conducted. It is intended to develop a comprehensive picture of the IDP situation using the GP as the framework of analysis and support UNHCR's planning, programming, monitoring and advocacy efforts.
- UNHCR and CHA have developed a 'toolkit' guide for humanitarian personnel, offering practical guidance on the implementation of the guiding principles.

"14. Over the past four years, UNHCR staff in Sri Lanka have engaged in a rigorous process of analysis, self-evaluation, consultation and planning, making considerable effort to re-orientate the programme so as to focus more directly on the organisation's statutory tasks of protection and the pursuit of durable solutions for those in its care. They have developed a programme which is clear in its objectives and strategy, as set out in the 2001 Country Strategy for Sri Lanka and the 2002 Country Operations Plan. A central plank of this is the use of the UN SG's Representative on Internally Displaced Persons' *Guiding Principles on Internal Displacement* as the foundation for the protection strategy of the programme.

[...]

16. Whilst more progress had been made in some of the areas outlined above than in others, the positive impact of the shift in orientation was clearly evident during the review. The *Guiding Principles* have given a clear framework for protection activities and all UNHCR field staff and implementing partners were clear in their role in, and input to, protection. Similarly, the shift towards needs-driven, flexible project identification and implementation appears to have enhanced stakeholders' sense of ownership of the projects, as well as their ultimate effectiveness. The review team concluded that the programme strategy was appropriate and effective, and that it enabled UNHCR to exploit to good effect its comparative advantages in Sri Lanka such as its strong field presence, protection mandate, and ability to respond quickly to changing circumstances.

17. The coherence of the strategy should be further enhanced with the completion towards the end of 2001 of the *Situational Analysis Report* currently under development within UNHCR Sri Lanka (facilitated by the secondment of a staff member from the Danish Refugee Council). This project aims to develop a comprehensive picture of the IDP situation in Sri Lanka, using the *Guiding Principles* as the framework of analysis. Once complete, it is hoped that the report will support UNHCR's planning, programming, monitoring and advocacy efforts. It is an innovative project, and one that the review team felt should be

evaluated on completion in order to gain maximum benefit from it, as well as to gauge possibilities for its future development and potential replication in other IDP situations.

[...]

21. The UNHCR programme in Sri Lanka is rigorously based upon UNHCR's statutory tasks of protection and the pursuit of solutions. UNHCR's systematic use of the *Guiding Principles* as the basis for its protection, advocacy, training, planning, programming, project implementation, monitoring and situational analysis in Sri Lanka is perhaps unique in a situation of internal displacement worldwide. In particular, UNHCR Sri Lanka has re-orientated its approach to microprojects, ensuring that protection, social and economic rights are fully taken into account in the process of project identification, design and implementation. All implementing partners and field staff questioned had a clear idea of their individual roles in the wider protection strategy and were also well aware of the importance of 'protection by presence'. They were all familiar and comfortable with the *Guiding Principles* and their practical application. This may well be the result of UNHCR Sri Lanka's efforts, in association with the Consortium of Humanitarian Agencies (CHA) in Sri Lanka, to develop a 'toolkit' guide for humanitarian personnel, offering practical guidance on the implementation of the *Guiding Principles*. All project proposals have to be drawn up with specific reference to the *Guiding Principles*, which also greatly increased field workers' familiarity with them." (UNHCR May 2002, pp. 7-9)

## ABBREVIATIONS AND ACRONYMS

ACF	Action contre la Faim
AusAid	Australian Agency for International Development
BRC	British Refugee Council
CARE	Cooperative for Assistance and Relief Everywhere
CBO	Community Based Organization
CHA	Consortium of Humanitarian Agencies
CGES	Commissioner General of Essential Services
CIUAH	Committee to Inquire into Undue Arrest and Harassment
DRC	Danish Refugee Council
DSS	Department of Social Services
ECCD	Early Childhood Care and Development
ERRP	Emergency Rehabilitation and Reconstruction Plan
ESC	Essential Services Commissioner
GA	Government Agents
GSL	Government of Sri Lanka
ICRC	International Committee of the Red Cross
IFRC	International Federation of the Red Cross
IHL	International Humanitarian Law
INGO	International Non-Governmental Organization
IPKF	The Indian Peacekeeping Forces
IRB	Immigration and Refugee Board
JRRP	Jaffna Resettlement and Rehabilitation Programme
JVP	Janatha Vimukthi Peramuna (People's Liberation Front)
JTH	Jaffna Teaching Hospital
LTTE	Liberation Tiger of Tamil Eelam
MIRJE	Movement for Inter Racial Justice and Equality
MOD	Ministry of Defence
MOE	Ministry of Education
MOH	Ministry of Health
MRR&SW	Ministry of Reconstruction, Rehabilitation and Social Welfare
MSF	Médecins Sans Frontières
NGO	Non-Governmental Organization
NIB	National Intelligence Bureau
NHRC	National Human Rights Commission
PA	People's Alliance
PLOTE	People's Liberation Organization of Tamil Eelam
PRRO	Protracted Relief and Recovery Operation
PTA	Prevention of Terrorism Act
QIP	Quick Impact Projects
RH	Reproductive Health
RRAN	The Resettlement and Rehabilitation Authority of the North
RRTG	Relief and Rehabilitation Theme Group
Rs.	Rupees
RSG	Representative of the Secretary-General, Mr. Francis Deng
SLRCS	Sri Lanka Red Cross Society
SCF-UK	Save the Children-UK
SIC	Special Identity Cards (military-issued)

SLA	Sri Lankan Army
TNA	Tamil National Army
TRO	Tamils Rehabilitation Organisation
UAS	Unified Assistance Scheme
UNCRC	United Nations Convention on the Rights of the Children
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOPS	United Nations Office for Project Services
UNP	United National Party
UXO	Un-Exploded Ordnance
USCR	U.S. Committee for Refugees
WC	Welfare Centers
WFP	World Food Programme

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