

CIVILIANS IN THE WAY OF CONFLICT:

DISPLACED PEOPLE IN SRI LANKA



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Civilians in the way of conflict: Displaced people in Sri Lanka

September 2007

Acknowledgements

The material for this report was gathered by Kavita Shukla of the Internal Displacement Monitoring Centre (IDMC) during and following a fact-finding mission to Sri Lanka in June and July 2007. In the course of the mission, interviews were conducted in Trincomalee district in the east, Puttalam district in the west and in the capital, Colombo. The IDMC is grateful to the staff of civil society organisations, international and national humanitarian and human rights agencies, donors, and in particular the internally displaced persons of Sri Lanka who provided information for this report. The IDMC would also like to express its gratitude to the reviewers of this report for their invaluable guidance and assistance.

Cover illustration: Civilians fleeing fighting between the government and LTTE in 2006
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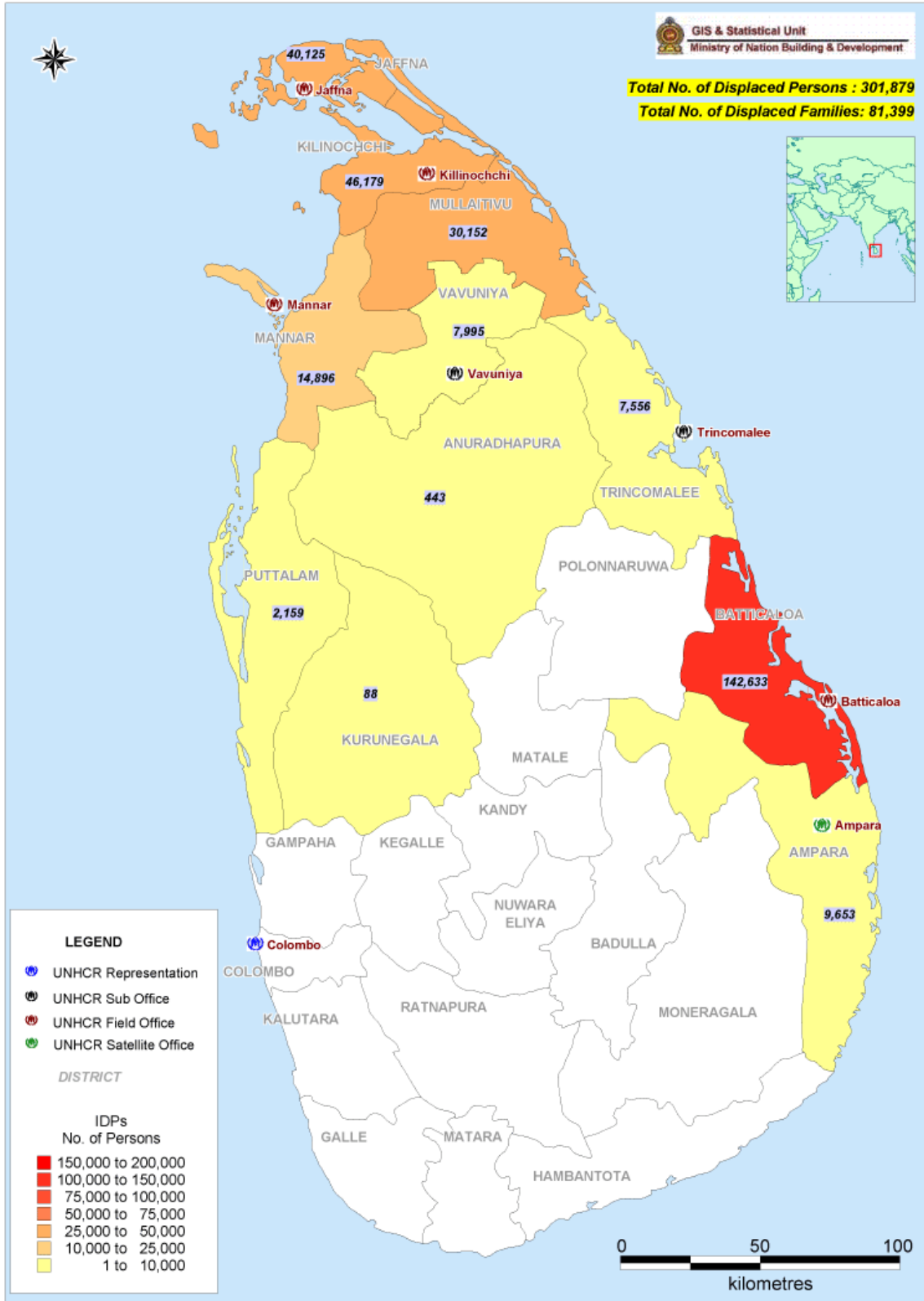
Cover design by Damla Sürar, Geneva, www.damlasuear.ch

Published by the Internal Displacement Monitoring Centre
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Chemin de Balexert 7-9
CH-1219 Châtelaine (Geneva), Switzerland
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Map of displacement in Sri Lanka April 2006 – April 2007



Source: UNHCR / Sri Lankan Ministry of Nation Building and Development

Executive summary

Since mid-2006, a dramatic escalation in the civil war in Sri Lanka between government forces and the rebel Liberation Tigers of Tamil Eelam (LTTE) has resulted in over 4,000 deaths and the displacement of hundreds of thousands of people. The latest phase of the 24-year conflict has also prolonged the misery of large numbers of civilians already displaced by the conflict between 1983 and 2002, and by the December 2004 tsunami.

At the end of 2006, at least 520,000 people in Sri Lanka were victims of conflict-induced displacement in a country of 20 million, making up one of the largest displacement crises in Asia in absolute terms and particularly in terms of the proportion of the population displaced. Upwards of 300,000 people were displaced in the offensive from 2006 onwards, with Tamil and Muslim minorities in the districts of Batticaloa, Trincomalee and Jaffna the most affected. Despite a major return programme initiated by the government in Batticaloa and Trincomalee in recent months, the number of conflict-induced internally displaced people (IDPs) in the country is estimated still to be around 460,000.

During the renewed offensive, both the government forces and the LTTE have been accused of deliberately targeting civilians and committing or permitting grave violations of international humanitarian law. The Karuna militia group, which broke away from the LTTE in 2004 and is now aligned with government forces against the LTTE, has also been accused of widespread abuses in eastern Sri Lanka.

In many instances in 2006 and 2007, violations by both parties of a 2002 ceasefire agreement between the government and the LTTE have become particularly brutal, involving the use of civilians as human shields, attacks on places of worship and refuge, retaliatory killings, abductions and disappearances, targeted assassinations, and widespread displacement.

Many civilians have fled their homes to escape indiscriminate bombardments, others have left after receiving warnings of imminent attacks from parties to the conflict, and some have been forced to leave after losing their livelihoods. Not all civilians have been able to escape the battlefields. In a number of incidents, people have been left stranded in extremely dangerous situations or facing severe shortages of critical supplies, due to ongoing restrictions placed on their movement by the government and the LTTE. It is the Tamil citizens of Sri Lanka who face most restrictions from both warring sides.

The unexpectedly large number of people displaced has created many humanitarian challenges and protection problems at the IDP camps and welfare centres. Nevertheless, many IDPs have not wanted to go back to their homes unless the insecurity that compelled them to leave is fully resolved.

The protection standards outlined in the Guiding Principles on Internal Displacement have been disregarded by each of the parties to the conflict. Forced returns of IDPs, spearheaded to a large extent by the army, have been a major cause for concern. In the

early stages of the return drive launched by the government in March 2007, IDPs reported facing coercion to go back, either in the form of physical force, or through threats to have food supplies cut off and the provision of security denied. Humanitarian and human rights agencies were frequently denied access to monitor the return processes. Reports of forced returns have become less frequent in more recent IDP return movements, but the process remains heavily militarised and agencies are still being kept away from areas of return.

Many of the IDPs who have returned home to eastern and north-eastern areas during the last year, whether voluntarily or involuntarily, have experienced difficulties due to the general security situation, and continue to face the risks of death, injury, loss of shelter and livelihoods and conscription into armed groups. IDPs who have returned to insecure areas cannot be considered to have found a durable solution to their displacement.

The plight of more than 60,000 Muslim IDPs living in Sri Lanka's western Puttalam district is often overlooked; after being displaced for 17 years the community is experiencing breakdowns of traditional family structures and the potential for radicalisation. A recently approved World Bank project is offering some hope to the IDPs as it will enable some of them to have houses in Puttalam, and regain the basis of a normal life.

Government responses to the various displacement situations, and the pressure applied on some groups to return prematurely, may stem from a disinclination to deal with another large IDP population in a country which already harboured hundreds of thousands of displaced people. However, given the climate of distrust between the current government and the minorities of Sri Lanka, it may be perceived that the return programme purposefully discriminates against minority populations. Although in some areas the government of Sri Lanka has shown greater seriousness in respecting the rights of the displaced, it still needs to take more concrete actions to demonstrate convincingly that it intends to respect the rights of all displaced persons, whether they belong to a minority or not.

The legitimacy of the government's response in recent months to IDPs' needs has been coloured by accusations that a number of national institutions with mandates to protect people have lost their independence under the current administration. Meanwhile, access to vulnerable groups and the safety of aid workers continue to cause concern to the humanitarian community in the country.

During 2007, the army has achieved significant victories in the east and north-east, and in July the government announced it had taken control over the entire eastern province from the LTTE. However, few analysts believe that this victory will increase peace prospects or end the massive humanitarian and human rights crisis that has engulfed Sri Lanka, and caused the forced displacement of so many civilians.

Recommendations

To the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE):

- Halt the practice of forcibly displacing civilians in violation of international humanitarian law and the Guiding Principles on Internal Displacement, unless it is for their safety or imperative military reasons.
- Respect the right of civilians to move freely to escape conflict, violence and human rights violations, as enshrined in international human rights law, the Guiding Principles on Internal Displacement and the Constitution of Sri Lanka.
- At all times distinguish between the civilian population and combatants in order to spare civilians and their property, to ensure that civilians are not caught in the crossfire and have safe passage to leave conflict-affected areas.
- Permit unrestricted access by international and national humanitarian agencies to all those in need in areas controlled by any party to the conflict.

To the Government of Sri Lanka:

- Develop and implement a national policy for protection and assistance to IDPs based on the Guiding Principles on Internal Displacement.
- Take measures to ensure that government agencies end the practice of coerced returns, and that all return decisions depend on the informed consent of IDPs.
- Take steps to improve IDPs' understanding of their rights according to the Guiding Principles on Internal Displacement.
- Consult with and inform IDPs, and the humanitarian agencies assisting them, on return-related issues and ensure all decisions concerning their lives remain transparent.
- Implement the agreement to permit IDP camp representatives to undertake "go and see" visits before each return phase, and ensure that decisions on returns reflect their recommendations.
- Increase the role of civilian authorities and monitors in the return process, in the place of the army.
- Secure IDP sites and camps in government-controlled areas against militia groups such as the Karuna faction.
- Prior to IDPs return, make sure that areas of origin are free from paramilitary groups, landmines, and other obstacles to safe return.
- In close cooperation with humanitarian agencies, prepare the ground for the IDPs' return and ensure that shelters, schools, health facilities and the civil machinery are functioning before return commences.
- End restrictions that appear to discriminate against members of minority communities, such as preventing returns of Tamil IDPs to Muttur East while keeping the area open to investment.
- Ensure that all civilians displaced from the government-designated high security and prohibition zones are compensated fairly and fully involved in their resettlement.

- Take action to prevent the forced recruitment of children and the harassment of aid workers by the Karuna militia in government-controlled areas, and to end the impunity of perpetrators, in order to make these areas safer for IDP return and monitoring.
- Re-establish and maintain a secure humanitarian environment in Sri Lanka.

To the LTTE:

- Enable civilians to escape from areas of conflict, and end the violations of international humanitarian law which prevent them from doing so.
- Permit all residents in areas under LTTE control to move in and out of the territory freely.
- End the forced recruitment of children and adults and permit those who joined the LTTE involuntarily to leave the group.
- Grant international and national agencies unimpeded access to all the vulnerable people in areas of LTTE control.

To international and national organisations:

- Monitor returns of IDPs to ensure they are voluntary and respect their safety and dignity.
- Advocate with the government for the ending of involuntary returns.
- Create awareness among IDPs of their rights against forcible return.
- Continue to underline the need for access to all parts of the country.
- Continue to brief international human rights bodies and donors on violations of the rights of IDPs and bars to humanitarian access.
- Maintain efforts for durable solutions for the IDPs living in Puttalam.

To donors:

- Ensure parties receiving aid demonstrate their commitment to ending human rights violations and abuses.
- Support the efforts of national NGOs to monitor and report on the situation of IDPs and other vulnerable groups both within and outside Sri Lanka.
- Encourage and help the government to develop and implement a national policy for protection and assistance to IDPs based on the Guiding Principles on Internal Displacement.
- Ensure that any aid to Sri Lanka is distributed equitably among those in need, so as not to exacerbate tensions among the different ethnic groups.
- Support agencies that are implementing conflict-prevention and peacebuilding initiatives among the Sinhala, Tamil and Muslim communities.
- Support non-operational agencies engaged in assessing and reporting on humanitarian and human rights violations in the country.

Background

Historical divisions between the Sinhalese majority and Tamil minority in Sri Lanka have led to a civil war that has caused 70,000 deaths and one of the worst internal displacement crises in Asia, with several hundreds of thousands of people displaced.

Following the end of Britain's colonial rule of Sri Lanka in 1948, a series of government policies led Tamils to fear that they would become marginalised in an increasingly Sinhalese-dominated society. From 1956 onwards, there were outbreaks of communal violence and growing radicalisation of some members of the Tamil community. By the mid-1970s, Tamil political leaders were moving away from supporting a federal state and increasingly calling for a separate state, "Tamil Eelam", in the Tamil-dominated north and east of Sri Lanka.¹

After an incident in 1983 in which 13 government soldiers were killed by the rebel Liberation Tigers of Tamil Eelam (LTTE), rioting erupted across the country. Following the violence, Sri Lanka became embroiled in armed conflict between government forces and the LTTE. Despite negotiations between the two sides and an intervention by Indian peacekeeping forces, with the exception of a few periods of calm, the hostilities persisted for two decades.

A ceasefire between the government and the LTTE, facilitated by Norway in 2002, eventually brought hope that the conflict would be resolved. The government lifted its ban on the LTTE, while the LTTE gave up their demands for a separate state. However, the Sri Lanka Monitoring Mission (SLMM) mandated to monitor the ceasefire observed ongoing abuses, mostly by the LTTE. One year into the ceasefire, the LTTE abandoned peace talks, but the ceasefire held for a period of "no war and no peace."

In 2004, the LTTE leader in the east, Colonel Muralitharan or Karuna, broke with the organisation's central command, weakening the LTTE. Currently Karuna and his supporters are operating as a paramilitary group in eastern Sri Lanka, particularly in the district of Batticaloa. The Karuna group is believed by observers to be aiding the army against the LTTE.²

The December 2004 tsunami led to the deaths of more than 30,000 Sri Lankans and the displacement of over half a million people. In 2005, the government and the LTTE arrived at an agreement to share \$3 billion in tsunami assistance from the international community, but the agreement was never implemented, and the two sides lost an opportunity to work in cooperation. The same year, the LTTE assassinated the ethnically-Tamil Foreign Minister, after which Parliament passed emergency regulations that remain in place today.

¹ US Department of State, *Background Note: Sri Lanka*, May 2007, p.4.

² The Guardian, *Between troops and Tigers: refugees caught in Sri Lanka's bloody crossfire*, 30 March 2007.

During the presidential election of November 2005, the LTTE prevented people living in its areas of control, largely believed to be supporters of the more inclusive United National Party, from voting, and the more overtly Sinhalese Sri Lanka Freedom Party came to power.³ In 2006, when the European Union banned the LTTE as a terrorist organisation, the group ordered SLMM monitors from EU member states Denmark, Sweden and Finland to leave the mission, reducing it to less than half its original strength.

The ongoing sporadic conflict escalated following an incident over control of water for irrigation in July 2006. Intense fighting erupted in the north and east, with widespread violations of the rights of people and groups, including the use of civilians as human shields, attacks on places of worship and refuge, retaliatory killings, abductions and disappearances, targeted assassinations, widespread displacement and forced returns, all contributing to create an enormous humanitarian crisis.⁴

Although the government and the LTTE met in Geneva in October 2006 for peace talks, the meeting only reinforced perceptions that neither party had the will to engage in meaningful negotiations.⁵

In May 2007, the government's Defense Secretary announced that the army was under instructions to eliminate the LTTE leader and eradicate the group, a process that would take two to three years.⁶ This enthusiasm for war appeared to have the backing of many Sinhalese, while the first ever air strikes by the LTTE on government targets in March 2007 equally seemed to have increased its support among the Tamil diaspora. By this point the 2002 ceasefire stood in name alone.

Since late 2006, the army has achieved significant victories in the east and north-east of the country and in July 2007, the government announced it had taken control over the entire eastern province from the LTTE for the first time in 13 years. However, few analysts believe that this victory will increase peace prospects or put an end to the massive humanitarian and human rights crisis that has engulfed Sri Lanka.

Causes of displacement

The internal displacement in Sri Lanka stems primarily from actual or feared conflict-related violence and its devastating impact on people's livelihoods. Conflict-induced displacement is not a new phenomenon in Sri Lanka, where civil war has been ongoing for 24 years. At various times in the war, civilians have been targeted by either the Sri Lankan army or the LTTE and have had no choice but to leave their homes, in many cases remaining uprooted for years. The latest round of the conflict has yet again forced

³ US Department of State, *op. cit.* p.5.

⁴ Sri Lankan Civil Society Organisations, *Statement by Civil Society Organisations on Human Rights and Humanitarian Concerns*, 14 November 2006, p.1.

⁵ BBC News, *Sri Lankan talks end in failure*, 29 October 2006.

⁶ The New York Times, *Sri Lanka's Scars Trace Lines of War Without End*, 15 June 2007, section A, p.1.

large numbers of people, primarily from the Tamil and Muslim minorities, to be displaced especially in the north and east of the country.

The recent phase of hostilities has been notably brutal, and violations of international humanitarian law have been committed by all parties to the conflict. Most of those displaced in 2006-2007, for example, reported fleeing their homes to escape artillery bombardments and air raids around their homes.

In July 2006 the current intense phase of conflict was set off by a struggle to control the supply of water to civilians in Trincomalee district. On 20 July, the LTTE closed the Mavil Aru sluice gate, cutting off the water supply for over 15,000 mostly Sinhalese families and 30,000 acres of paddy lands. Government forces retaliated and fighting spread to other parts of Trincomalee and Batticaloa districts. The LTTE regrouped in the town of Muttur in Trincomalee district where heavy fighting took place for six days, causing misery and suffering for the civilians.⁷ During the fighting there were hundreds of deaths and an estimated 50,000 people were displaced. Thousands of civilians, including women and children, were forced to walk for nearly two days without food and water in search of safety.⁸

Although the water blockade was lifted on 8 August, the combat spread to the Jaffna peninsula in the north where tens of thousands of people were displaced during ten days of heavy fighting. The army launched another massive offensive in the north in October in an attempt to clear the LTTE from the Jaffna peninsula.⁹ During this operation, the army sustained heavy casualties and the intense fighting continued to affect civilians, even in places such as hospitals and schools. On 2 November, the army's aerial bombardment hit a hospital in the LTTE-held town of Kilinochchi. The bombing killed five civilians and damaged the hospital's maternity ward.¹⁰

Thousands of civilians were displaced from the Vakara area of Batticaloa district, which had been under the LTTE's authority, and where some 35,000 civilians were caught in the crossfire during a fierce three-month battle for control. Many vulnerable people, including children, elderly, and sick people were forced to make gruelling journeys out of Vakara to government-controlled areas before the army finally took control of the region in January 2007. In a much-publicised case, in November 2006, army artillery hit a school which was sheltering over 2,000 IDPs. During the bombardment, 62 people died and 47 people, ranging in age from one to 74 years old, were injured.¹¹

A number of civilians who were not impacted by direct shelling were forced to leave their homes after receiving threats and warnings of imminent attack from parties to the conflict. In May 2006, in Allipiddy in Jaffna district, a hand-written notice supposedly

⁷ Frontline Magazine, *Water war*, Volume 23, Issue 16, 12-25 August 2006, p.3.

⁸ BBC News, *The cost of Sri Lanka's water war*, 10 August 2006.

⁹ The Economist, *Sri Lanka: War again*, 19 October 2006.

¹⁰ UN Department of Public Information Press Release, *UN Condemns Indiscriminate Use of Force in Sri Lanka*, 9 November 2006.

¹¹ Human Rights Watch, *Return to War: Human Rights under Siege*, August 2007, p.41.

distributed by the “Makkal Padai” group affiliated with the LTTE warned civilians to leave the area within three days as military offensives were imminent. Almost all the villagers fled and took refuge in churches in Jaffna town.¹² In August 2006, the LTTE’s radio station warned people living in the coastal areas south-east of Jaffna town to leave the area immediately. Nearly all the villagers fled the area and sought shelter in schools and churches in Jaffna.¹³

Other civilians became displaced as their livelihoods were severely impacted by the fighting. Fishermen could no longer go to their traditional fishing areas because of the presence of the army and armed groups, and farmers stopped going to their lands out of fear that mines may have been laid.

IDP numbers

It is difficult to determine the exact numbers of internally displaced people in Sri Lanka today due to the overlap between those displaced by the conflict and the 2004 tsunami, and between those displaced by the conflict before and since 2006. According to estimates, however, around 460,000 people remained displaced in Sri Lanka in August 2007 as a result of conflict and violence, including over 181,000 people, or 49,000 families, displaced by the fighting since April 2006.



A typical shelter for a displaced family in Eastern Sri Lanka.

¹² Inter-Agency Standing Committee, *Conflict-Related Internal Displacement in Sri Lanka: A Study on Forced Displacement, Freedom of Movement, Return and Relocation (April 2006-April 2007)*, July 2007, p.15.

¹³ Inter-Agency Standing Committee, p.15.

Over 312,000 people were still registered as displaced due to conflict and violence in April 2006. By the end of December 2006, this figure appeared to have risen to 520,000 people, out of Sri Lanka's total population of 20 million.

The renewed fighting had in the year to April 2007 displaced an additional estimated 301,000 people from their homes. An estimated 101,000 of these newly displaced people have returned to their areas of origin as at September 2007, within government- and UNHCR-supported return programmes in Trincomalee and Batticaloa districts, including over 3,000 who are staying in transit camps until a durable solution is found for them. Some IDPs have also returned spontaneously to their areas of origin.

In August 2007, the International Organization for Migration in Sri Lanka reported that almost 11,000 families displaced by the 2004 tsunami remained in transitional sites. This number did not include those displaced from the LTTE-controlled areas of Kilinochchi and Mullaitivu, where figures were not available, or tsunami-displaced people living with host families.

A group not included in these IDP statistics is "night IDPs" who stay at their homes during the day, but spend the night in jungle areas or away from their homes due to fear of violence from armed groups. The phenomenon of night IDPs has been increasingly observed since 2006.

Prior to 2006, about 60,000 Sri Lankan Tamil refugees were living in refugee camps in the Indian state of Tamilnadu, while at least another 20,000 refugees lived outside the camps. From January 2006-July 2007, over 19,000 additional Sri Lankan refugees arrived in Tamilnadu state.

Humanitarian and protection concerns

With the sharp deterioration in the security situation in Sri Lanka from 2006 onwards, civilians have become increasingly vulnerable. The conflict has not only disrupted the lives of hundreds of thousands of people, but dealt new blows to those who had already faced tremendous adversity during the previous phase of the war from 1983-2002 and as a result of the tsunami. Displaced people have been at particular risk, with the Guiding Principles on Internal Displacement, the basic international framework for the protection of IDPs, frequently disregarded.

The infiltration of armed men into IDP camps and cases of abductions have demonstrated the challenges of protecting IDPs. In March 2007, it was reported that armed men, some wearing the uniform of the Karuna faction, were roaming camps and even taking over the distribution of relief goods. It was further noted that the Karuna faction was operating in Batticaloa town with the complicity of government officials.¹⁴

¹⁴ Amnesty International Press Release, *Sri Lanka: Armed groups infiltrating refugee camps*, 14 March 2007.

Living conditions and nutrition

The humanitarian situation of those living in some IDP camps in the eastern districts of Batticaloa and Trincomalee presents cause for concern. Fact-finding missions by human rights groups revealed that the unexpected influx had led to poor conditions in some of the larger camps, with overcrowding and shortages in shelter and toilets. Additionally, IDPs living outside the camps with host families faced hardships as they were wholly reliant on their host families for support in the absence of any schemes to ensure that they were receiving rations from the government.¹⁵

During the bombardments in the Vanni area, the IDPs who were trying to rebuild their lives after the tsunami had to abandon homes in various states of reconstruction. A government embargo on construction materials such as cement, steel and fuel has also forced aid agencies to halt or abandon development projects in the LTTE-controlled areas.¹⁶ The price of cement has increased by 500 per cent and is beyond the reach of most of the people wanting to build shelters in the Vanni area.

In March 2007, the World Food Programme (WFP) reported that the recent near-doubling of the IDP population had created a major humanitarian challenge for the agency. In some districts WFP had been forced to put on hold its mother-and-child nutrition and school feeding programmes so as to redirect limited resources to the newly displaced.¹⁷

Nutrition surveys by the government and international agencies showed rising levels of acute malnutrition in the northern Jaffna district as a result of conflict-related disruption of livelihoods and markets, the closure of the A9 highway, and security-related restrictions on farming and fishing. Food assistance for the internally displaced and other vulnerable groups was in short supply for months after the A9 closure, since WFP was only able to transport 20 per cent of the required rations to Jaffna.¹⁸

Education and health

At the height of the conflict between the army and the LTTE in the east over the past year, more than a quarter of a million children experienced partial or complete disruption of their education. In Batticaloa district alone, the education of at least 135,000 students was affected. Many schools were closed as they were used as shelters for IDPs. To meet the challenge of educating IDP children, child protection agencies devised a two-shift

¹⁵ Centre for Policy Alternatives, INFORM Human Rights Documentation Centre, Law and Society Trust, Women and Media Collective, *Report of the Fact-Finding Visit to Batticaloa and Vakarai*, April 2007, p.3.

¹⁶ Reuters, *Tamils in rebel-held Sri Lanka sick of civil war*, 18 July 2007.

¹⁷ World Food Programme Press Release, *WFP ramps up food aid for thousands fleeing conflict in eastern Sri Lanka*, 20 March 2007.

¹⁸ UN Office for the Coordination of Humanitarian Affairs IRIN News, *Sri Lanka: Malnutrition rising in Jaffna, aid deliveries struggling*, 18 July 2007.

school day at temporary buildings, where local children attended school in the morning and IDPs in the afternoon.¹⁹



A lesson at an IDP site in Trincomalee – the school building had been used to house displaced people.

The conflict situation has caused widespread mental health problems among IDPs and hosts. In December 2006, the World Health Organization noted that an estimated two per cent of the population could be in need of mental health services, and warned of an increase in the number of suicides, even though Sri Lanka already has one of the highest suicide rates in the world.²⁰

Livelihood opportunities

The productivity of farmers and farm labourers was hard hit by the lack of fertiliser and other farm inputs, and by lack of access to land in the high security zones (HSZs) around military installations. Severe restrictions imposed by the army also limited the livelihoods of the 17,500 fishing families (nine per cent of the entire population) of Jaffna, whose production was estimated at one point at only ten per cent of pre-conflict levels. With the ongoing security problems and transportation issues, many IDPs from Jaffna have no livelihood opportunities and are unable to go back to their homes to restart businesses.²¹

¹⁹ UN Office for the Coordination of Humanitarian Affairs IRIN News, *Sri Lanka: Many schools in east reopen, though fear persists*, 21 May 2007.

²⁰ World Health Organisation, *Response to the Crisis in Sri Lanka*, 15 December 2006, p.1.

²¹ UN Office for the Coordination of Humanitarian Affairs IRIN News, *Sri Lanka: Malnutrition rising in Jaffna, aid deliveries struggling*.

Documentation

Lack of documentation has proved to be a hindrance for many IDPs. Frequently IDPs fled their homes during shelling or fighting with no time to collect the documents needed to navigate through numerous security checkpoints, and to access relief provisions. The process of acquiring duplicate documentation was complicated by the need to first obtain clearance from the displaced persons' areas of origin, where in some cases the civil machinery had collapsed during the conflict.²²

Challenges facing returnees

The IDPs who returned to their homes in 2006 and 2007 faced numerous severe challenges. Many arrived home to find shelters and infrastructure damaged and their livelihoods inaccessible as a result of looted tools and equipment and lack of funds to replace them. WFP warned in mid-2007 that the returnees to Batticaloa would face a food shortage if they were not assisted in growing local produce, and that they were in urgent need of livelihood assistance as well as food aid from WFP and the government if they were to resume their regular coping mechanisms.²³

Property restitution has continued to be complicated, especially for people who have been displaced more than once. More than 80 per cent of the total land area of Sri Lanka is owned by the state, and private ownership of land can be only established if it has been occupied for an uninterrupted period of ten years. Loss of documents to establish land title remained common as a result of displacement or destruction of homes and government land ownership offices.

The lack of state-owned land suitable for the resettlement and relocation of IDPs is a major problem. Host communities are often unwilling to receive IDPs for resettlement due to their fear of a negative economic impact or their ethnic or religious prejudices against those being resettled.²⁴

Landmines remain as a threat to returnees. At the time of the 2002 ceasefire, 1.5 million mines and other unexploded ordnance littered ten districts in the north-east, covering a total area of 202 square kilometres. Although mine clearance agencies were able to remove mines from many areas, more than a million mines and unexploded ordnances are unaccounted for, and at least 95 square kilometres remain contaminated.²⁵

The general security situation in many return areas remains of concern. Civilians continue to risk death and injury, intimidation, abductions and forced disappearance, loss of

²² Information from IDMC interviews with internally displaced persons in Sri Lanka and staff of international and local agencies assisting them, June and July 2007.

²³ Daily Mirror, *Sri Lanka among UN hunger hot spots*, 25 July 2007.

²⁴ UN Country Team, *Sri Lanka: Common Country Assessment Part II*, October 2006, p.7.

²⁵ UN Office for Coordination of Humanitarian Affairs IRIN News, *Sri Lanka: Conflict disrupts ongoing demining efforts*, 2 August 2007.

shelter, livelihoods, and the breakdown of essential community and family structures. In addition they have only limited access to basic services.

The recent wave of displacement, return and resettlement have led to fears among minority communities of state-sponsored colonisation programmes which they believe are designed to change the ethnic demography of the province.²⁶ Some residents in the eastern provinces cite as examples of the ongoing Sinhalisation of eastern Sri Lanka the government-sponsored movement of Sinhalese settlers into Tamil and Muslim areas, movement of administrative boundaries so as to reduce the size of minority populations in certain areas, and the declaration of minorities' land as sacred land for construction of Buddhist temples.²⁷

Freedom of movement

Freedom of movement - despite being enshrined in the Constitution of Sri Lanka – has been severely restricted as a result of the renewed conflict and the climate of insecurity. In several instances in 2006-2007, restrictions were placed on the right of people to seek safety in other parts of the country. In violation of the Constitution, international human rights standards and the Guiding Principles on Internal Displacement, both government and LTTE policies have prevented people from fleeing their places of origin even when their lives were threatened. However, it is likely that this has in fact encouraged civilians to flee for fear of being trapped in the midst of fighting. It also validates widespread concerns that IDPs are coerced into returning to areas which observers suggest are still unsafe.

Restrictions imposed by the government

In September 2006, in Muttur town in Trincomalee district, Muslim families tried to flee after receiving a leaflet warning of an LTTE attack. A first group was able to leave the town, but the army and navy stopped later groups of people from fleeing by blockading land and sea routes.²⁸

The August 2006 closure by the government of the A9 highway linking Jaffna peninsula to the rest of the country paralysed much of the travel in and out of Jaffna. Most of the 600,000 residents of the peninsula were stranded in the face of shelling, widespread abductions and disappearances, and severe shortages of food, medicines and basic supplies.²⁹ Long curfews were also imposed by government authorities in Jaffna from August 2006 onwards, preventing many people from earning a living.

²⁶ South Asians for Human Rights, *Report on the Fact Finding Mission to the North and East of Sri Lanka to Assess the State of Displaced Persons*, August 2007, p.10.

²⁷ South Asians for Human Rights, pp.25-26.

²⁸ Inter-Agency Standing Committee, p.16.

²⁹ Inter-Agency Standing Committee, p.18.

Movement in and out of Jaffna is still only possible by sea or air. Civilians who want to leave the peninsula have to obtain permission from the army's civil affairs unit. In June 2007, at least 15,000 people were waiting to board government ships to leave Jaffna for the relative safety of Colombo.³⁰

Restrictions imposed by the LTTE

The LTTE continues to maintain draconian restrictions on people living in the Vanni. Each person exiting the LTTE-controlled area has to leave family members behind as a guarantee of their return. The group also only issues passes on the day of travel, limiting the movement of civilians and supplies.

The LTTE has also placed restrictions on the freedom of movement of civilians wanting to escape the fighting in Batticaloa. After the shelling of the Kathiravelli school in Vaharai region, as panic spread and people tried to flee the area, the LTTE prevented 2,000 civilians from departing.³¹ In December 2006, as the security situation in the Vakaraï region deteriorated, IDPs who were able to exit the area reported that the LTTE had tried to keep them back as human shields, believing that their presence would deter the army from bombarding the LTTE-controlled area.³²

Restrictions resulting from insecurity

The Omanthai crossing between the government-controlled territory and the LTTE-controlled area in Vavuniya district was only open three days a week from June 2007, as the presence of ICRC observers was reduced as a result of a number of security incidents that jeopardised the safety of civilians crossing the line and that of ICRC personnel. In late August 2007, ICRC announced that its staff would be present at the crossing five days a week at the request of the government and the LTTE.³³

Government restrictions around military bases and high security zones

The freedom of movement remains limited near military bases and "high security zones" (HSZs) set up by the government to protect strategic installations. The HSZs extend up to four kilometres from the fences of most military camps. Some observers claim the HSZs unreasonably impact Tamil agricultural lands, particularly in Jaffna, where an estimated 18 HSZs have led to many farmers losing access to their lands and livelihoods. According to government officials, the HSZs occupy an area of over 60 square kilometres and have displaced over 109,000 people, with an additional 46,000 displaced since fighting broke out in August 2006. Although in 2004 the government loosened restrictions at one

³⁰ The New York Times, section A, p.1.

³¹ UN Department of Public Information Press Release.

³² Inter-Agency Standing Committee, p.17.

³³ International Committee for the Red Cross, Sri Lanka: *ICRC personnel present at Omanthai crossing point five days a week*, 24 August 2007.

site in Chavakachcheri and allowed farmers and their families to return to their land at that site, the general public is still denied access to all HSZs.³⁴

Problems with IDP returns

During 2007, as the army has gained significant victories and territory in the east and north-east, the government policy appears to have aimed to avoid a long-term displacement situation by returning IDPs to areas it deemed safe since they are now under its control.

Enforced returns to unsafe areas of origin

Humanitarian agencies, however, have viewed these returns as premature in many cases, as the general situation in many IDPs' areas of origin has reportedly remained unsafe, due either to ongoing military operations or frequent security incidents. Many humanitarian agencies have been denied permission to visit and monitor the returnee areas, particularly in the early phases of return, and although the situation has improved, access still remains a problem.



The Cultural Centre IDP site, in Trincomalee town, where exceptional access by national and international organisations has enabled IDPs to make informed decisions about their return.

In September 2006, after the army took control of Muttur town, the authorities, security forces, Muslim community leaders and politicians began to exercise various levels of coercion and intimidation on the predominantly Muslim IDPs to return to Muttur from

³⁴ US Department of State, Bureau of Democracy, Human Rights and Labor, *Sri Lanka: Country Report on Human Rights Practices (2006)*, 6 March 2007, p.10.

across Trincomalee district. An initial group of IDPs returned voluntarily from Kantale to Muttur in early September, and those who remained at IDP sites were instructed by officials to return, and received threats of withdrawal of food, water, electricity and basic assistance. Military and police presence at IDP sites was stepped up, and humanitarian agencies instructed to stop providing services. Consequently, by mid-September, 35,000 Muslim IDPs had returned to Muttur.³⁵

The coercion was repeated in March 2007, when the government launched a massive return programme in the east during which reports surfaced of IDPs being forcibly returned to their areas of origin. The Sri Lankan national Human Rights Commission (HRC) in Batticaloa received several complaints and even the Resettlement and Relief Services Minister admitted that around ten per cent of the people who were moved to a halfway transit site were sent there against their will, although insisting that this had happened only on one day.³⁶

International and local agencies assisting IDPs in Batticaloa district reported displaced persons being forced onto buses and sent back to the Vakarai area and to Trincomalee district. IDPs who were sent back to Vakarai reported being rounded up by the army without warning, with families being separated in the rush to force people onto the buses.³⁷

Involvement of IDPs in return decisions

The IDPs were not provided with the information to decide whether this was the appropriate time for them to return, and they were not informed that they had an option to remain at the camps. Only in rare cases were exceptions made and IDPs were permitted to stay back, for reasons such as children taking exams.³⁸

Although most IDPs did want to go back eventually, many were not prepared to return at the time the government launched its drive, with concerns including lack of security in areas of origin with ongoing shelling and large military presence, lack of shelter, infrastructure and basic facilities following the conflict, a fear of forced recruitment of adults and children by the LTTE and the Karuna group, and concern about landmines and unexploded ordnance.³⁹

The government agreed to the principle of “go and see” visits, whereby representatives elected from within the IDP community would go to their area of origin to evaluate if conditions were fit for return. In practice, this was permitted in very few cases and even

³⁵ Inter-Agency Standing Committee, p.22.

³⁶ Daily Mirror, *IDPs moved against their will?*, 20 March 2007.

³⁷ Centre for Policy Alternatives, INFORM Human Rights Documentation Centre, Law and Society Trust, Women and Media Collective, p.5.

³⁸ Information from IDMC interviews with internally displaced persons in eastern Sri Lanka and staff of international and local agencies assisting them, June and July 2007.

³⁹ *Ibid.*

when the IDP representative reported that the area was not fit for return, the government nevertheless put pressure on IDPs to go back.⁴⁰

Involvement of civil and humanitarian agencies

The return process was heavily militarised and although there were civil administrators present, they were largely marginalised and on the periphery of the process. Besides the army, a “special task force”, armed police, and in some cases armed and unarmed members of the Karuna group were also clearly present at the IDP camps and welfare centres.

It appears that there was a decision to exclude the civil administration and humanitarian agencies from playing any meaningful role in the return process. Decisions about the process were taken within the security hierarchy and NGOs working with the IDPs claimed that they first heard about the returns from IDPs themselves during or immediately before the event. In some cases, no international or local agency was given authorisation to accompany the IDPs back to their areas of origin and agencies accused the government of using blanket security to deny monitoring of the return process.⁴¹ Agencies also reported that mine-clearing organisations were under pressure from the government to declare certain areas as having been cleared of all mines so the return of IDPs could be expedited.



Displaced woman in Trincomalee town

⁴⁰ *Ibid.*

⁴¹ Centre for Policy Alternatives, INFORM Human Rights Documentation Centre, The International Movement Against Discrimination and Racism, Law and Society Trust, Batticaloa Field Mission (May 2007), 4 June 2007, pp.5-6.

Developments in response to concerns

In response to the reports of forced returns, the Inter-Agency Standing Committee country team in Sri Lanka printed and distributed leaflets in three languages to IDPs in Batticaloa district in March 2007, demanding that all parties respect the IDPs' right to voluntary return. On 16 March 2007, the Office of the UN High Commissioner for Refugees (UNHCR) announced that it had raised concerns with the government after receiving reports of increased police presence around IDP sites in eastern Batticaloa, and that it had received assurances that the agency would be fully engaged in any further returns to ensure they are voluntary and safe. In May 2007, UNHCR announced that its monitors on the ground were reporting that the majority of people were eager to return home, and that the returns were voluntary and in line with international standards.

From May 2007 onwards, the coercion and violations in the early phases of return declined, but as recently as July some IDPs at camps maintained that the special task force had visited them on several nights and warned them that there would be problems if they did not return. Other IDPs reported being informed by local authorities that the government wanted them to leave or lose their IDP status and all assistance. Despite declarations by the government that it would be informing IDPs of their rights regarding return, and ensuring that returns were voluntary, many of the displaced people have remained unaware of these rights well into the later phases of the return process.

By 10 July 2007, over 90,000 IDPs had returned to Batticaloa district and almost 52,000 IDPs remained in the district. In Trincomalee district, over 8,000 IDPs had returned and the number of displaced was over 6,000.

Denial of return to a high security zone

While the government on one hand strongly encouraged IDPs to return to their homes in unsafe areas, on the other, it prevented the return of IDPs to a much safer area of origin. In May 2007, the government declared Muttur East area of Trincomalee district a High Security Zone. This prevented IDPs living in welfare centres or transit sites in other parts of the district from returning to their homes. As the government cordoned off Muttur East for military reasons, it also declared the area to be a Special Economic Zone open to large local and foreign investment.

It remains unclear why an area open for investment should be closed to people whose original homes are located there. The government has not yet addressed the issue of compensation for the 4,250 (largely Tamil) families who will not be able to return to their homes in Muttur East. Many of them were in August 2007 continuing to live at a transit site in Kiliveddy in Trincomalee district, which was not designed for long term habitation.

The Centre for Policy Alternatives, a Sri Lankan NGO, filed a petition with the Supreme Court on the issue of the Muttur East High Security Zone. Although the court dismissed the petition, it called for speedy action to resettle the people from Muttur East. The government had identified land in Raalkuli and Eechilampattai areas of Trincomalee district

to resettle IDPs, but they were never consulted about this decision, and the land is grossly incommensurate with the property lost to the High Security Zone, and also vulnerable to flooding.⁴²

IDPs' concerns about forced recruitment

Many IDPs are frightened to return home due to fear of forcible recruitment, particularly involving their children. Both the LTTE and Karuna factions are continuing to forcibly conscript children. The LTTE has reportedly recruited as many as 10,000 new members (above and below the age of 17) in the last six months, few of whom seem to have joined willingly.⁴³ In some instances, even national staff of humanitarian agencies operating in the Vanni area have been forcibly conscripted by the LTTE.

Following the November 2006 visit of the Special Advisor to the UN Special Representative on Children in Armed Conflict, there have been improvements in the LTTE's response to child recruitment. The LTTE set up a Child Protection Authority and raised its recruitment age to 17. The UN Children's Fund (UNICEF) has recorded a significant drop in the reported cases of LTTE recruitment of children, and noted that the recent releases of children from the group's ranks outstripped new recruitment. However, many child soldiers remain within the LTTE. By the end of July 2007, UNICEF had listed 1,518 outstanding cases of LTTE under-age recruitment, including 401 children currently under the age of 18 years, with 60 per cent of the recruits being male, and 40 per cent female.

Although the LTTE may no longer be conscripting children in large numbers, the threat to children living in areas under LTTE control has not necessarily decreased, impacting the return plans of IDP families. The LTTE has introduced a quota policy whereby one person per family has to join the group, and children are at risk of losing a parent or the family breadwinner. Under the one-person-per-family system, Tamils from 17 to 30 are at the highest risk of being recruited. Early marriages are on the rise with many under 17 marrying to escape recruitment although the average marriage age for Tamils is over 20.

The Karuna faction continues to actively recruit children with the government's knowledge and tacit support.⁴⁴ By the end of July 2007 there were 232 reported cases of under-age recruitment by the Karuna group, with the vast majority of recruits being male and only one reported case of female recruitment. The Karuna group was in July 2007 more frequently engaged in under-age recruitment than the LTTE.⁴⁵ The children recruited by the Karuna faction are sometimes armed and act as local guards, especially in Batticaloa district. Although the Karuna faction has made assurances that it would cooperate in ef-

⁴² University Teachers for Human Rights (Jaffna), *Can the East be won through Human Culling? Special Economic Zones- An Ideological Journey Back to 1983*, Special Report no. 26, August 2007.

⁴³ International Crisis Group, *Sri Lanka's Human Rights Crisis*, 14 June 2007, p.12.

⁴⁴ Human Rights Watch, *Complicit in Crime: State Collusion in Abductions and Child Recruitment by the Karuna Group*, January 2007, p.6.

⁴⁵ Reuters, *Sri Lanka rebels, renegades still recruit kids- UN*, 2 July 2007.

forts to end the recruitment of children, there appears to be little commitment by the group to improve its practices. Agencies emphasise that the figures on forcible conscription are probably much lower than the actual numbers, as most families avoid reporting abductions to outsiders due to the possibility of reprisals.

Evictions of Tamils in Colombo

On 7 June 2007, the army and police in Colombo carried out an operation to evict Tamil civilians. A total of 376 people, 291 men and 85 women, were taken from lodgings and boarding houses frequented by Tamil visitors to Colombo. The evictees were given a few minutes to pack their belongings and leave on the basis that they were staying in Colombo “without valid reasons”. They were put on buses which took them 250 kilometres north to Vavuniya district near the boundary of the LTTE-controlled territory, and to Trincomalee district where some were then transported to Jaffna by boat.

The Centre for Policy Alternatives filed a fundamental rights petition with the Supreme Court to stop the Tamil expulsions from Colombo. The Court issued an interim order to end the expulsions and stop the government controlling the movement of Tamils in any part of Colombo. Following the interim order, many of the evicted Tamils were brought back by the police to their lodging houses. The Supreme Court is scheduled to hear the case on all grounds in November 2007.

A few days after the expulsions, the Prime Minister expressed regret to the hundreds of Tamils who had been evicted, saying it was a “big mistake” by the government.⁴⁶

Protracted displacement in Puttalam

In the western district of Puttalam, which is free from armed conflict, there were improvements in a protracted IDP situation involving more than 60,000 Muslim IDPs. The positive change came about as a result of the World Bank approving a \$32 million housing project in 2007 for the construction of 7,500 houses.

Ever since the IDPs moved to Puttalam in 1990, after being forced from their homes in Jaffna and Mannar by the LTTE, there have been tensions over resources between IDPs and their host community. Although the government allocates resources towards the IDPs living in Puttalam, the funds continue to be sent to their areas of origin, and the host community and IDPs in Puttalam are forced to compete for scarce resources in sectors such as health and education. IDPs have begun to talk of being “ethnically cleansed” by the LTTE, and there are concerns that the younger generation may become radicalised.⁴⁷

⁴⁶ Centre for Policy Alternatives Press Release, *Supreme Court grants leave to proceed to case filed by CPA on the evictions of Tamils from Colombo*, 26 July 2007.

⁴⁷ Information from IDMC interviews with internally displaced persons in western Sri Lanka and staff of international and local agencies assisting them, June and July 2007.

The IDPs have been living in 140 welfare centres and 60 relocation sites since 1990, and the World Bank grant will enable 40 per cent of the population to obtain housing in the next three years. The World Bank project is also assisting with the local host community's infrastructure and water requirements.

Although conditions are expected to improve for the Puttalam IDPs, certain protection problems persist in the community. After 17 years of living as displaced persons, many of the IDPs' traditional family structures are breaking down. Women and men have been forced to leave their families in search of a livelihood, with both going abroad in many cases, leaving the care and protection of children to elderly relatives or older siblings.

Displaced women in Puttalam face numerous difficulties. There have been instances of women being abandoned, with husbands remarrying overseas. Alcohol and drug abuse and early marriage are on the rise. The police have referred cases of domestic or gender-based violence to the mosque for justice, usually to the detriment of women plaintiffs.⁴⁸

Some IDP leaders maintain that as soon as conditions are safe for return, the entire group of IDPs will go back to its areas of origin. A small number of IDPs in Puttalam did return to Jaffna during the ceasefire years, only to come back to Puttalam soon thereafter.

National and international responses

The Ministry of Disaster Management, established in December 2005, and in 2006 re-named the Ministry of Disaster Management and Human Rights, is responsible for coordinating emergency operations in the areas under the government's control.

The Minister chairs the Consultative Committee on Humanitarian Affairs (CCHA), a high-level coordinating and policy-making forum in which government officials and representatives of international agencies and bilateral donors can discuss issues of humanitarian assistance including access for agencies, delivery of essential goods and services, and security concerns.

Through the CCHA, the government confirmed in June 2007 that NGOs would be granted immediate access to areas of return. Despite subsequent requests by the UN Resident Coordinator/ Humanitarian Coordinator in Sri Lanka, little progress had been made on this issue by August 2007.

Following the early phases of return, the government considered several suggestions by the humanitarian community, such as providing notice to IDPs before return, and improving the arrangements for return. However, agencies continue to express their concerns to the Ministry over aspects of the return process.

⁴⁸ Such problems may be shared by women from the local host community.

In April 2006, the Ministry of Disaster Management and Human Rights, with the support of UNHCR, drafted detailed guidelines on “confidence building and stabilisation measures” for IDPs in the north and east. In October 2006, these were approved by the Inter-Ministerial Committee on Human Rights. Based on the guidelines and workshops, independent consultants prepared an action plan for their implementation, in order to improve people’s protection from displacement and during displacement, the provision of humanitarian assistance to IDPs and their return, resettlement and reintegration. While progress so far has been limited to the policy dialogue at the Colombo level, the UN’s Inter-Agency Standing Committee has expressed its hope that the government would implement the activities proposed in the action plan.⁴⁹

Many international and national human rights organisations continue to call for an independent international human rights monitoring system in Sri Lanka, but there seems to be reluctance on the part of the government to permit such a presence. The legitimacy of the institutions created by the government to respond to the human rights violations, including those facing IDPs, have come under increased scrutiny.

The IDP Protection Unit of the Sri Lankan Human Rights Commission (HRC) has continued to undertake activities to assist IDPs, providing mobile services to issue new identity documents, and intervening on a number of occasions when local authorities were forcing IDPs to return, informing them that the HRC would take up these individual cases as fundamental human rights violations. As a result of these interventions, some individuals were allowed to remain. The HRC, an independent body established in 1997, is constrained by inadequate statutory powers and resources, relying as it does on part-time commissioners to deal with a huge backlog of cases. The unconstitutional 2006 appointment of HRC commissioners by Sri Lanka’s President has affected the public standing of the body⁵⁰ and raised questions about its independence and legitimacy.

A Presidential Commission of Inquiry has been set up to investigate 16 alleged serious violations of human rights, including the murder of the 17 *Action Contre la Faim* workers in August 2006. The Commission only started operations in May 2007 and appears to have made limited progress so far; its work is to be observed by an “International Independent Group of Eminent Persons”, a panel with a limited mandate to observe the workings of the Commission of Inquiry. The creation of the Group of Eminent Persons is widely believed to have stemmed from an effort by the President to prevent the deployment of international human rights monitors to his country. In June 2007, the Group of Eminent Persons released its first statement, faulting the Commission of Inquiry, saying that it had dawdled since its inception last November and that its independence had been compromised by interference from the attorney general's office, which acts as the legal counsel to the Commission.⁵¹

⁴⁹ Inter-Agency Standing Committee, p.13.

⁵⁰ UN Country Team, p.40.

⁵¹ International Herald Tribune, *International panel faults commission investigating abuses in Sri Lanka*, 11 June 2007.

Restrictions on access and the safety of aid workers

The “humanitarian space” in Sri Lanka has been steadily shrinking since 2006 and it has become increasingly difficult for agencies to respond to the needs of IDPs and other vulnerable groups. Aid workers are finding themselves being increasingly targeted in the brutal conflict. This is particularly shocking given that Sri Lanka has a long history of engagement with the international humanitarian community and respect for humanitarian principles.⁵² Furthermore, the policy of restricting agencies for security reasons has led many members of the humanitarian community to question why areas that are deemed unsafe for some NGO staff are at the same time considered suitable for IDP returns.

The aid community had limited access to displaced persons in Kantale and other areas of Trincomalee district during the hostilities of July and August 2006. In mid-August, when 35,000 largely Tamil IDPs fled LTTE-controlled areas of Trincomalee to Batticaloa district, the army provided only sporadic access to very few agencies to reach this civilian population. By the end of August, only UNHCR and the International Committee of the Red Cross (ICRC) still had permission to assist the civilian population in the LTTE-controlled areas, and then only in direct collaboration with local government officials. An estimated 200,000 permanent residents of Batticaloa district and 25,000 IDPs from outside the district were no longer reachable by humanitarian agencies.⁵³ During ten days of fighting in Jaffna in August 2006, no serious efforts were made by either the government or the LTTE to open the A9 road for humanitarian convoys.⁵⁴

Although large-scale combat may have ended in the east and north-east of the country, with the government taking control of the eastern province and launching an ambitious return programme, several international and local NGOs are still without continuous access to areas of return, particularly in the Batticaloa West region. Although access for humanitarian agencies to Batticaloa West has improved following a military victory there, problems remain with reaching all returnee areas of eastern Sri Lanka. Agencies maintain that it is critical to reach the returnee areas at this stage to make needs assessments and begin implementing rehabilitation programmes. The army, however, continues to prevent agencies from travelling to certain areas, citing concern for their safety. UN agencies, especially UNHCR, and the ICRC generally have more access in areas of return than some international and local NGOs.

Since mid-2006, Sri Lanka has witnessed an increasing trend of harassment and violence against humanitarian workers. At least 30 humanitarian workers have been killed or are missing and presumed dead since January 2006. There were fatalities in directly targeted attacks, in addition to the 17 staff members of the French NGO *Action Contre la Faim* killed in August 2006, in Vavuniya in May 2006 (Norwegian Refugee Council), in Colombo in June 2007 (Red Cross) and most recently in July 2007 in Jaffna (Danish Refu-

⁵² Refugees International, *Sri Lanka: Humanitarians Under Fire*, September 2006, p.1.

⁵³ Human Rights Watch, *Improving Civilian Protection in Sri Lanka: Recommendations for the Government and the LTTE*, September 2006, p.22.

⁵⁴ Human Rights Watch, *Improving Civilian Protection in Sri Lanka: Recommendations for the Government and the LTTE*, p.21.

gee Council). Scores more humanitarian workers have been abducted and intimidated before their release.

Humanitarian agencies are reporting an increasing number of intimidatory incidents and extortion attempts in Batticaloa town, ostensibly perpetrated by the Karuna faction. While the government has been quick to condemn acts of violence against humanitarian workers, there has been a marked absence of prosecutions or investigations even when there have been clear indications of the perpetrators. For example, no apparent action has been taken by law enforcement agencies following the incidents of harassment and extortion by the Karuna faction in Batticaloa.

Access to IDPs and the freedom of movement for civilians, humanitarian agency staff and relief supplies are among the most prominent challenges confronting UNHCR and other aid agencies in Sri Lanka. UNHCR has been the lead agency for IDPs in Sri Lanka since 2004 and heads the protection and shelter sectors. Following the renewed hostilities in 2006, the agency scaled up activities to manage a population movement of up to 400,000 IDPs. The surge in violence in 2006 forced UNHCR and many other agencies to refocus on emergency response rather than durable solutions for IDPs.

Human rights organisations have declared that there has been a gradual loss of will among critical international agencies, including UNHCR, to publicly raise concerns about the government's violations during the process of return.⁵⁵ Additionally, it has been noted that UNHCR's statement that return was taking place in line with international protection standards was utilised by the government to silence critics, especially local critics of the return process.⁵⁶

In early August 2007, the UN's Emergency Relief Coordinator visited Sri Lanka. The UN High Commissioner for Human Rights is expected to travel to Sri Lanka in October 2007, and the UN Secretary General's Representative on the Human Rights of IDPs is planning a mission to Sri Lanka later in the year.

⁵⁵ Centre for Policy Alternatives, INFORM Human Rights Documentation Centre, The International Movement Against Discrimination and Racism, Law and Society Trust, p.1

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC), established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the IDMC contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the IDMC website and the database at www.internal-displacement.org.

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