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A FRAMEWORK FOR RESETTLEMENT POLICY



This framework for resettlement policy outlines the administrative, logistical, advisory, humanitarian and other forms of support available to internally displaced persons, returnee refugees of legitimate Sri Lankan origin and resettled communities. The policy has been prepared taking into account the very special nature of the circumstances within which the displacements occurred and as to what kind of support and assistance are required by the persons concerned to encounter the twin challenges of resettling and reintegrating with the society and the economy while reinvigorating their already diminished social and economic potential.

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01. Policy Objectives

- (i). Ensure secured and honorable life for internally displaced persons (IDPs) and returnee refugees by providing facilities to resettle them in their places of origin.
- (ii). Make available durable solutions to internally displaced and returnee refugees in terms of shelter, water, sanitation facilities, livelihood restoration and provision of community Infrastructure.
- (iii). Ensure a non-discriminatory regime among all the internally displaced persons and returnee refugees irrespective of time of displacement, ethnicity, places of origin.
- (iv). Eliminate any adverse social, economic or psychological impact of resettlement or relocation on internally displaced persons and returnee refugees.
- (v). Assist adversely affected internally displaced persons and returnee refugees to recover from social, psychological trauma or economic consequences of resettlement or relocation.
- (vi). Facilitate the entry of resettled IDPs and returnee refugees into the social and economic integration and development process.
- (vii). Eliminate any bias against internally displaced persons and returnee refugees in relevant policy, regulatory and administrative regimes.
- (viii). Ensure that all IDPs and returnee refugees have equal opportunity to develop socially and economically as other citizens.
- (ix). Ensure transparent non-discriminatory and equitable regime in delivery of services deemed necessary by internally displaced persons and returnee refugees of legitimate Sri Lankan origin.
- (x). Prevent the impoverishment of the persons concerned as a result of displacement.
- (xi). Restoration of Land ownership and other lost documents.

02. Policy Goals

- (i). To realize the overall vision of ‘a satisfied community of resettled people who contribute positively to the society and the national economy’.
- (ii). Social and economic empowerment of internally displaced persons and returnee refugees.
- (iii). Create and foster awareness in the society of the needs, rights and aspiration of internally displaced persons and returnee refugees.
- (iv). Ensure a well coordinated and holistic approach in respect to issues and challenges encountered by internally displaced persons and returnee refugees.

- (v). Make available social protection regime for deserving and vulnerable category of internally displaced or returnee refugees.

03. Basic Principles

- (i). Resettlement process is voluntary.
- (ii). IDPs should be resettled in their places of original habitation.
- (iii). The resettlement process should be dignified and safe.
- (iv). Sri Lanka Security Forces to be a partner of the resettlement process.
- (v). National and International non-governmental organizations registered in Sri Lanka also to be partners in the resettlement process subject to applicable guidelines and regulations.
- (vi). Ensure informed choice for the displaced family / persons through facilitation of “go and see visits” prior to resettlement.
- (vii). Assistance in terms of provision of shelter , water , sanitation, livelihood restoration and making available community infrastructure to the resettled and returnee refugee families.
- (viii). Equality in Gender in delivery of services and entitlements.

04. Strategy

- (i). Provision of initial humanitarian assistance such as reintegration grants, non-food items, food assistance, transport facilities etc. to the displaced persons and returnee refugees facilitating their re-establishment in the place of origin or otherwise.
- (ii). Provision of initial resettlement assistance in the form of basic construction materials to renovate or reconstruct shelter, water and provision of sanitation facilities.
- (iii). Provision of support to commence livelihood activities, in the form of providing agricultural and other tools, seeds, fishing gear along with relevant training , credit , sales and marketing facilities etc.
- (iv). Rehabilitation, renovation or reconstruction of community and other support infrastructure.
- (v). Consultation with Internally Displaced Persons and Returnee Refugees and obtain their views planning and implementing projects and programmes effecting their future wellbeing.

05. Scope of Policy

- (i). Resettlement is recognized as the legitimate response to displacement.
- (ii). Applicable only to displacements occurred as a result of armed conflict.

06. Resettlement Options

- (i). Resettlement and reintegration at the places of origin.
- (ii). Relocation with the consent of internally displaced, in acceptable alternate locations in close proximity to the original locations ensuring minimum disruption to the socio, cultural and economic life of those concerned.
- (iii). Integrate at the current place of residence on self's own vocation (local integration).
- (iv). Acceptance of compensation either in the form of alternate land or compensation based on market value in lieu of dispossessed property.

07. Assistance

07.01. General

- (i). Though every internally displaced and returnee refugee person/ family is entitled to receive assistance, the most vulnerable categories such as children, widowed, health wise and economically disadvantaged, disabled, elderly persons, single/child headed families may receive priority over others.
- (ii). Certain categories of internally displaced and returnee refugee persons, such as children, unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, will be entitled to protection and assistance required by their condition and treatment which takes into account their special needs.
- (iii). All assistance offered to internally displaced persons and returnee refugees are documented and updated databases to be maintained at respective Divisional Secretariat , District Secretariat and at the Ministry of Resettlement.
- (iv). The prime objective of assistance is to re-establish the disturbed way of life of IDPs and returnee refugees. The need to continue to receive such assistance to be reviewed periodically with a view to ensure that a culture of dependency will not set in.
- (v). The responsibility for providing humanitarian assistance to internally displaced persons and returnee refugees lies with Ministry of Resettlement.
- (vi). Authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced and returnee refugees.

07.02. Housing

- (i). Each family that is resettled will be provided with Rs. 50,000.00 to construct temporary shelter and additional building materials worth Rs. 50,000.00.
- (ii). On a long term basis, Rs. 325,000.00 will be provided to each family to reconstruct houses destroyed in the war.
- (iii). Rs. 100,000.00 will be provided to families for the renovation of houses.
- (iv). Assistance will be provided to every household to construct latrines.

07.03. Livelihood Restoration**(a). Agricultural Incentives**

- (i). All families engaged in agrarian activities will be provided with agriculture equipment.
- (ii). All families engaged in agrarian activities will be provided with seeds and fertilizer relevant to the crops cultivated by them.
- (iii). All Farmer Organizations will be provided with a Water Pump and a Tractor free of charge.

(b). Fishing Industry

- (i). All fishermen will be provided with fishing equipment.
- (ii). Fish processing centers will be established in Mannar and Jaffna.

(c). Animal Husbandry

- (i). Equipment and chicks will be provided for the poultry industry.
- (ii). Villages for dairy farmers will be established to promote the dairy industry.
- (iii). Those who wish to engage in self-employment will be provided with the necessary equipment free of charge.

- (d).
 - (i). Provide appropriate training to enable IDPs and returnee refugees to gain productive employment and develop credit facilities to encourage entrepreneurship and self-employment.
 - (ii). Train IDPs and returnee refugees in marketing and value addition to enable them to gain maximum benefit from their produce.
- (e).
 - (i). Assist IDP's and Returnee Refugees to enroll as members of social protection schemes.

08. Resettlement of Refugees

- (i). Facilitate the return of refugees of Sri Lankan origin on voluntary basis.
- (ii). Non-discrimination between IDPs and returnee refugees when it comes to the selection of beneficiaries under various projects and programmes implemented by the Government of Sri Lanka aimed at enhancing the standard living of those concerned.
- (iii). As applicable, accreditation of Educational qualifications of returnee refugees with Sri Lanka's regulatory framework.
- (iv). Facilitate the issue of lost or non-existence legal documents such as Birth Certificates, National Identity Cards, Deeds of Instruments, Educational and other Certificates etc.

09. Land and Property Rights

- (i). Private property rights of IDPs and 'returnee refugees' are recognized and respected.
- (ii). Land owned by IDPs and returnee refugees identified as required for public purposes will only be acquired through due legal process.
- (iii). A house for residential purpose at a relocated site and compensation in terms of relevant Laws will be made available when it becomes necessary to acquire a land for a public purpose.
- (iv). Compensation or alternate land for any agricultural and I acquired.
- (v). Restitution of Land and property within legal and regulatory framework in force.
- (vi). Protection of the property and possessions of internally displaced and returnee refugees in all circumstances.
- (vii). Property and possessions left behind by internally displaced and returnee refugee persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.
- (viii) As articulated in the Circular No 2013/01 dated 31/01/2013 issued by the Land Commissioner General, designated authorities have the duty and responsibility to assist resettled internally displaced persons to recover, to the extent possible, their

property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, Competent Authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

10. Access to Schooling and Health Care

- (i). Right to education in the formal schooling system by the Children of internally displaced and returnee refugees is recognized and facilitated as a priority. Authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Further, education should respect the cultural identity, language and religion of those concerned.
- (ii). Access to basic healthcare facilities to all, especially children, elderly persons, pregnant and lactating mothers and persons with disabilities is ensured. Special attention should also be given to the prevention of contagious and infectious diseases, among internally displaced and returnee refugee persons.
- (iii) Special efforts would be made to ensure the full and equal participation of Women and Girls among the internally displaced and returnee refugee persons.
- (iv) Education and training facilities, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

11. Gender Equality and Children's Rights

- (i). All IDPs and returnee refugees disregarding their gender would be recognized and accepted in equal measure in the provision of assistance and entitlements. All certificates of entitlement to such assistance will be issued on joint owned basis.
- (ii). In cases, where both parents are lost, the rights of Children under guardian care to receive entitlements are recognized.
- (iii) Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.
- (iv) Women and men shall have equal rights to obtain necessary documents and shall have the right to have such documentation issued in their own names.

12. Host Community

- (i). The importance of managing relationship between resettled/relocated communities and ‘host communities’ is recognized and promoted to ensure harmonious co-existence between the two groups.
- (ii). Where it is practicable and feasible, community infrastructure facilities being made available to resettled/relocated communities could be utilized by members of host communities as well.
- (iii). Consider and accept IDPs and returnee refugee in protracted displacement situations and host communities as inclusive partners in overall development initiatives.

13. Auditing

- (i). An auditing process will evaluate periodically, the need, reach and rationale behind continuance of assistance regimes.
- (ii). All assistance will be subject to audit by authorities who are empowered to do so either statutorily or administratively.

14. Training

- (i) Appropriate training to be made available to public officials involved in serving resettled communities with the objective of inculcating in them knowledge, skills and attitudes required to serve a community whose needs are distinct and special, when compared with the rest of the population.
- (ii) Facilitate making available of vocational training facilities to IDPs, returnee refugees and their children.

15. International Cooperation

- (i) Coordinate and engage official donor agencies, inter-governmental organizations and international and local non-governmental organizations in respect of resettlement activities and in addressing post resettlement shelter, sanitation, drinking water, community infrastructure and livelihood restoration issues, subject to fulfillment of regulatory and administrative requirements.

- (ii) Such Agencies may be encouraged to work intensively in particular geographical areas, and develop partnerships with local officials, to develop clear cut responsibilities and better accountability for the resources deployed.

16. *Psycho- Social Assistance*

As required, counseling facilities to be made available for the benefit of resettled communities.

17. *Rights of Internally Displaced Persons and Returnee Refugees*

- Freedom of expression within the Law.
- Protection from abuse, violence and degradation.
- To be heard in decisions making process
- Access to all rights and benefits enjoyed by other citizens in the country. In this regard, as in the case of other citizens, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates.
- All the internally displaced persons of over 18 years of age, residing elsewhere in the country including those in protracted situations and returnee refugees are eligible to apply to register as Voters at their places of origin.
- Internally displaced persons, whether or not they are living in Camps, shall not be discriminated against as a result of their displacement in the enjoyment of rights such as the rights to freedom of thought, conscience, religion or belief, opinion and expression, seek freely opportunities for employment and to participate in economic activities, associate freely and participate equally in community affairs, to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right, and to communicate in a language they understand.

18. *Profiling IDPs and Returnee Refugees*

- (i) The diverse socio- economic and cultural fabric of IDPs and returnee refugees to be taken in to account in planning, organizing and addressing relocation solutions.

- (ii) The Statistics maintained at Divisional Secretariats should be constantly reviewed, while Grama Niladharis must maintain Vulnerability indices of those requiring special assistance, to be referred to the District Secretariat for action as needed.

19. IDPs in Protracted Situations

- (i). Relevant authorities are required to establish conditions, as well as provide the means, which allow internally displaced and returnee refugee persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned refugees or resettled internally displaced persons in a new geographical location of their choice.
- (ii). Special efforts should be made to ensure the full participation of internally displaced and returnee refugee persons in the planning and management of their return or resettlement and reintegration.

20. Policy Implementation Mechanism

- (i). The importance of planning, co-ordination and co-operation between the Ministry of Resettlement and other line Ministries, State Institutions, Provincial and District Authorities with a view to realize the policy goals and objectives is recognized and given effect to.
- (i) The Ministry of Resettlement to be the overall co-ordination, implementation, monitoring and evaluation and review body of this policy in consultation and collaboration with all the stakeholders.

21. Review of Policy

This policy will be reviewed periodically in consultation with the stakeholders and updated to accommodate changing circumstances.

22. *Definitions*

“Internally Displaced Persons (IDPs)” means, persons who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of or in order to avoid the effects of armed conflict situations of generalized violence.

“Refugee” means, any person of legitimate Sri Lankan origin who has been forced or obliged to flee or to leave Sri Lanka as a result of or with intention of avoiding the effects of armed conflict situations of generalized violence and crossed the border of Sri Lanka .

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