

DISCUSSION PAPER

Time for a new approach: Ending protracted displacement in Sri Lanka

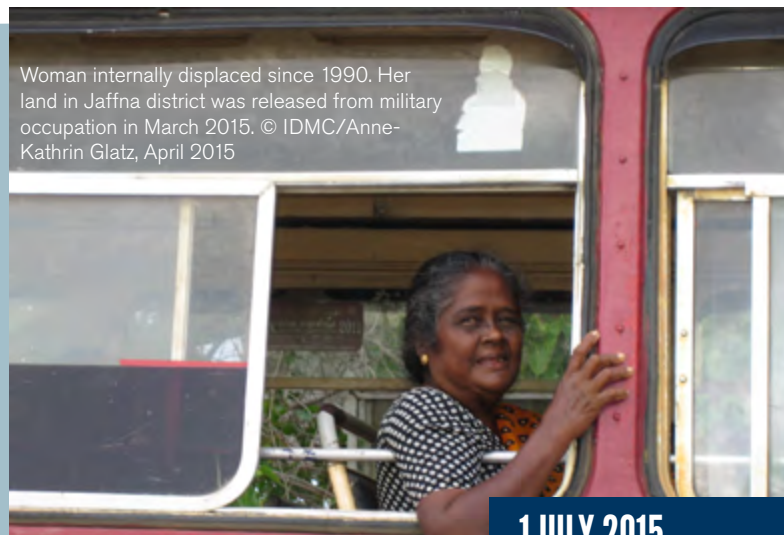
The election of a new Sri Lankan government in January 2015 has brought about a new openness in terms of political debate, including around issues key to resolving protracted displacement and promoting durable solutions for IDPs. Measures which contribute to improving their situation include a return to civilian governance in the Northern and Eastern Provinces and the release of some land belonging to IDPs which was previously occupied by the military.

More than six years after the end of the 26-year long conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan armed forces, up to 73,700 people remain internally displaced in the country's Northern and Eastern Provinces¹ (see Annex). The overwhelming majority belong to the Tamil and Muslim minorities. In addition, it is estimated that several tens of thousands among the more than 794,000² who are registered as having returned to their homes have still not achieved a durable solution to their displacement.³

This paper aims to inform ongoing discussions between the government and humanitarian and development actors on how to tackle protracted displacement, particularly in relation to a durable solutions strategy and return plan which are currently being drafted.

Findings in this paper are derived from a visit to Sri Lanka by IDMC in April 2015 during which interviews and group meetings were held with IDPs in camps, relocated IDPs, returned

- 1 The Northern Province consists of the districts of Mannar, Vavuniya, Mullaitivu, Kilinochchi (together making up the region known as the Vanni) and Jaffna; the Eastern Province of Trincomalee, Batticaloa and Ampara districts.
- 2 Ministry of Resettlement, Reconstruction and Hindu Religious Affairs, *Resettlement Figures as of 31 March 2015*
- 3 "A durable solution is achieved when IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement." Brookings-LSE Project on Internal Displacement, *IASC Framework on Durable Solutions for Internally Displaced Persons*, April 2010, p.5.



Woman internally displaced since 1990. Her land in Jaffna district was released from military occupation in March 2015. © IDMC/Anne-Kathrin Glatz, April 2015

1 JULY 2015

and returning IDPs, as well as representatives of national and local government, local civil society organisations, international NGOs and UN and other international agencies in the Northern and Eastern Provinces and the capital, Colombo. IDMC thanks all those who helped facilitate the visit, to our informants for sharing their experiences, insights and analysis and to the anonymous reviewers for their comments.⁴

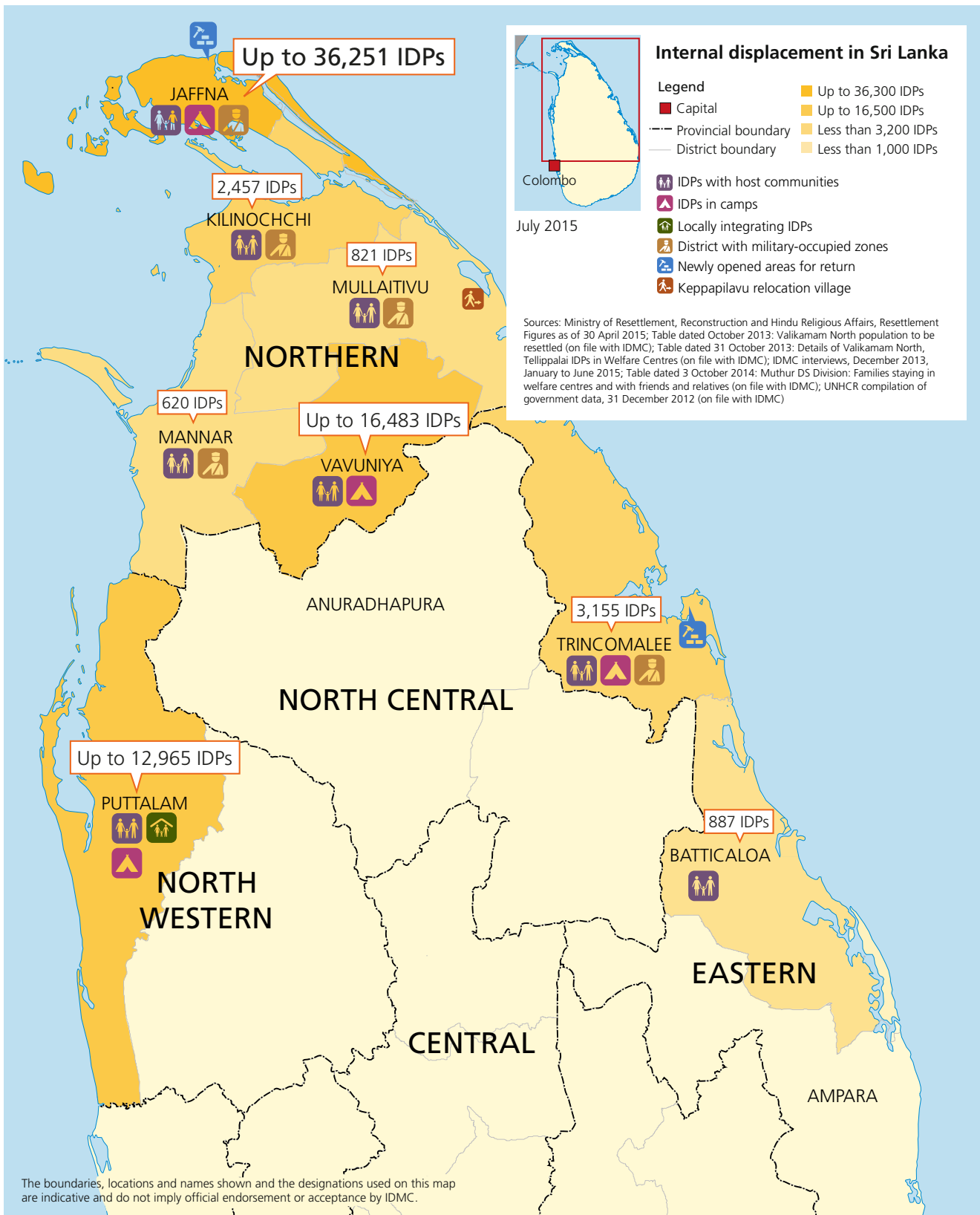
Displacement: a development challenge

Sri Lanka's experience of internal displacement illustrates how long-term displacement is often a development challenge that needs to be addressed first and foremost by governments and also by supporting development actors⁵. Effective collaboration between humanitarian and development actors from the beginning of a humanitarian crisis, together with political will to facilitate durable solutions, are key to tackling



IDPs' makeshift shelters near Mullikulam in Mannar district, their home village which remains occupied by the Sri Lanka Navy. © IDMC/Anne-Kathrin Glatz, April 2015

- 4 Unless otherwise noted, the sources for the information in this paper are informants who have requested to remain anonymous.
- 5 On the linkages between displacement and development, see, for example, IDMC, *Internal displacement in Africa: A development challenge*, October 2012, p.4.



protracted displacement.

While globally there has long been recognition of the need to engage development actors in the response to displacement, concrete progress in addressing the relief-to-development gap has been elusive. These issues have most recently been highlighted in a Brookings study⁶ and by the UN Special Rapporteur on the human rights of internally displaced per-

sons in his latest report to the UN General Assembly.⁷ The UN Secretary-General's *Decision on Durable Solutions* of October 2011 assigns responsibility to the UN Resident Coordinator/Humanitarian Coordinator in each country to lead the development of a durable solutions strategy in consultation with national authorities and other partners.⁸

6 Brookings-LSE Project on Internal Displacement, *10 Years After Humanitarian Reform: How Have Internally Displaced Persons Fared?*, 28 January 2015, pp.21-24

7 UNGA, *Report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, A/HRC/29/34*, 1 April 2015, pp.11-18.

8 UN SG, *Decision No. 2011/20 - Durable Solutions: Follow up to the*

Key moment to compensate for past failures

In the more than five and a half years since the end of the war in May 2009, crucial opportunities to create conditions for durable solutions for IDPs were lost as a result of the previous government's preoccupation with large-scale and prestigious development projects. Through the Presidential Task Force for Resettlement, Development and Security in the Northern Province (PTF), which included the Secretary of Defense and the Army Commander, the former government pursued a military-driven agenda. It restricted humanitarian access and prevented assistance programmes and projects which included psychosocial support, legal aid and counselling, awareness raising, community mobilisation, family tracing and reunification. These needs were apparent during the immediate post-conflict period and tackling them early on would have helped traumatised IDPs rebuild their lives and become less aid-dependent.⁹

Soon after the end of the war, the government rejected UN support for the development of long-term reconstruction and rehabilitation plans. At the PTF's request, the Common Humanitarian Action Plan (CHAP) for 2010¹⁰ only covered IDPs in camps. Action by the UN, including the work of the UN's Early Recovery Group, was controlled by the PTF, significantly hampering planning for durable solutions.¹¹ The CHAP was replaced by two Joint Plans for Assistance Northern Province (JPA) for 2011 and 2012.¹² Both JPA documents praised the government's efforts to restore normalcy in the north, contradicting other reports on the negative impact of government restrictions of humanitarian space and the need for complex negotiations by implementing organisations to ensure humanitarian access as well as beneficiary and staff security, which rendered principled humanitarian action difficult.¹³ Most humanitarian actors, together with the UN-led clusters, have phased out or scaled down significantly since 2013.

Uninterested in facilitating durable solutions, from around 2010 the previous government focused instead on reducing the official number of IDPs by deregistering them – without assessing prospects for durable solutions and not in accordance with the *Guiding Principles on Internal Displacement*.¹⁴ A survey of protracted IDPs launched in 2012 by the government, the UN Refugee Agency (UNHCR) and the UN Office

for Project Services was abandoned in December 2012 due to obstacles imposed by the PTF. In 2014, the government together with the Humanitarian Country Team carried out a Joint Needs Assessment (JNA) to determine the remaining needs of IDPs and returnees.¹⁵ IDMC informants in Sri Lanka expressed concern over the methodology of the JNA and stated that its findings do not reflect the situation on the ground.

Given the previous government's deprioritisation of IDPs, only few national or international development programmes have specifically addressed internal displacement. Examples include the Improving Living Conditions in Returnee Areas of Sri Lanka through Housing programme (which has targeted returning IDPs as well as host communities)¹⁶ and the Indian Housing Project¹⁷. Development funding from donors has remained limited because since 2012 the World Bank has classified Sri Lanka as a lower middle-income country. Based on national averages, this designation masks large development gaps between districts. It has thus hindered much-needed development programmes and funding from reaching conflict- and displacement-affected areas and groups.¹⁸

The new government has taken a different approach. In June 2015 the NGO secretariat, which previously came under the Ministry of Defence, was moved under the Ministry of Policy Planning.¹⁹ The Ministry of Resettlement and the Resettlement Authority have begun to develop a return plan for areas recently released from military occupation as well as a durable solutions strategy. Facing a budget crisis²⁰, the government needs the support of international organisations and donors in order to implement the plan.



IDPs returning after 25 years in displacement are clearing their land in Jaffna district. © IDMC/Anne-Kathrin Glatz, April 2015

Secretary-General's 2009 report on peacebuilding, 4 October 2011, p.1. This document includes the text of the *Preliminary framework for supporting a more coherent, predictable and effective response to the durable solutions needs of refugee returnees and internally displaced persons*, which has been piloted in a dozen countries.

- 9 IDMC, *Global Overview 2015: People internally displaced by conflict and violence*, May 2015, pp.54-55; IDMC, *Almost five years of peace but tens of thousands of war-displaced still without solution*, 4 February 2014; IDMC, *Sri Lanka: A hidden displacement crisis*, 31 October 2012, p.14.
- 10 <http://www.unocha.org/cap/appeals/common-humanitarian-action-plan-sri-lanka-2010>
- 11 UN SG, *Report of the Secretary-General's internal review panel on United Nations action in Sri Lanka*, 14 November 2012, pp.92-93.
- 12 <http://reliefweb.int/report/sri-lanka/sri-lanka-joint-plan-assistance-northern-province-2011>; <http://reliefweb.int/report/sri-lanka/sri-lanka-joint-plan-assistance-northern-province-2012>
- 13 IDMC interviews, May 2012; ICG, *Sri Lanka's North II: Rebuilding under the military*, 16 March 2012, pp.12-14.
- 14 CPA, *Protracted Displacement, Urgent Solutions: Prospects for Durable Solutions for Protracted IDPs in Sri Lanka*, 17 September 2013, pp.20, 24-28; IDMC, *Sri Lanka: A hidden displacement crisis*, 31 October 2012, p.5; ICG, *Sri Lanka's North II: Rebuilding under the military*, 16 March 2012, p.5.

Displacement figures and dynamics

Based on a combination of different data sources, IDMC estimates that up to 73,700 people are still living in displacement

- 15 OCHA, *Sri Lanka Joint Needs Assessment: Final Report*, March 2015.
- 16 <http://unhabitat.lk/projects/active-projects/improving-living-conditions-in-returnee-areas-of-sri-lanka-through-housing/>
- 17 <http://unhabitat.lk/projects/active-projects/indian-housing-project/>
- 18 World Bank, *Data: Sri Lanka*, 2015; Department of Census and Statistics, *Poverty Headcount Ratio Brief: Decomposition of Consumption: Poverty*, 29 April 2014.
- 19 Daily FT, *No More Defence Ministry Supervision for NGOs: Deputy Minister*, 17 June 2015.
- 20 Daily Mirror, "Govt. faces financial crisis; can't even pay salaries – CBK", 10 May 2015.

following the end of the conflict in May 2009 (see Annex).

IDMC is confident that the figure of up to 73,700 IDPs is the best estimate that can be obtained from available data. It is important to note, however, that some of the data dates back to 2013 (Jaffna) or even 2011 (Puttalam). It is therefore not known whether some of those counted as IDPs have achieved durable solutions through local integration or settlement elsewhere. Furthermore, the level of detail and comprehensiveness of available data differs between districts. Data on IDPs in Jaffna and Trincomalee is the most comprehensive and that on Vavuniya and Puttalam the least reliable. Hence IDMC uses the qualifier “up to”. In addition, it is not clear whether all individuals born in displacement since the data was first collected have been added after initial displacement or whether numbers of those who have died have been deducted. IDMC therefore strongly recommends that a comprehensive survey be conducted to determine the real scale of displacement.

Displacement has occurred in different ways, depending on IDPs’ level of vulnerability, available assets, duration of displacement and coping strategies. In Kilinochchi and Mullaitivu districts, the whole population was displaced during the last phase of the war (2008-2009). A large majority, 270,230 people²¹, have since returned, although it is estimated that significant numbers still have outstanding needs resulting from their displacement. Many had already experienced displacement during earlier phases of the conflict, as had IDPs and returnees in other areas of the north and east. People currently still displaced in Jaffna, Puttalam and Mannar, who together make up two thirds of all current IDPs, have been displaced for 25 years or more. Most remained displaced for the whole period. Some in Puttalam and Mannar were able to return after the 2002 ceasefire, only to be displaced again in 2006 (Puttalam) or 2007 (Mannar).

Displaced landless and smallholder farmers

Among those most affected by impoverishment resulting from displacement are families who were landless and poor prior to displacement and who had no significant assets. They also include families engaged in small-scale farming and/or fishing who were surviving independently before they were forced to flee, but whose income had not been sufficient to accumulate significant savings. Displacement deprived them of access to all or most of their main assets: private or permit land²² including their house and agricultural land crops, livestock and access to fishing grounds, boats and other fishing equipment.

There have been no proper mechanisms to deal with property claims nor to provide adequate compensation as required under international law.²³ Once displaced, people received emergency assistance, but not a comprehensive assistance package which could have helped facilitate durable solutions,

including psychosocial assistance and livelihood support. Many IDPs have thus become dependent on aid for their survival. Among them, up to 8,200 IDPs in the north and east continue to live in camps, many in slum-like conditions. In addition, large numbers remain dependent on the support of host communities.

Long-term displacement and dowries

During their protracted displacement, IDPs have married and children have been born. For those who lost most or all of their assets when they first became displaced, providing their daughters with housing and land according to local dowry custom has been extremely challenging, if not impossible. Sri Lankan dowry custom, common to all three communities – Tamil, Muslim and Sinhala – provides for land to be passed as dowry from parents to their newly married daughters. Displacement has disrupted the functioning of this system as it has led to loss of assets and interrupted the process of building up assets for dowry, contributing to landlessness.²⁴



Internally displaced landless Muslims living in a temporary shelter in Jaffna district. © IDMC/Anne-Kathrin Glatz, April 2015

Some Muslim businesspeople from the north held larger assets than many others who experienced displacement but also experienced significant loss when the LTTE evicted the whole Muslim population from the Northern Province in 1990. Beginning with the oldest daughter, displaced Muslim and Tamil families would use the land bought during displacement and, once the conflict ended and return became a possibility, also their land in their areas of origin as dowry. For poorer displaced Muslim families, but also for displaced Tamils, this has rendered landless newly married daughters for whom no land was available, as well as parents who gave their land to their daughters. This is the case for an unknown number of Muslim families who live in Jaffna in temporary shelter on private land owned by local mosques.

Key obstacles to durable solutions

Return remains the preferred settlement option for the overwhelming majority of IDPs. In practice, their settlement choices also depend on whether assistance is provided to

21 Ministry of Resettlement, Reconstruction and Hindu Religious Affairs, *Resettlement Figures as of 31 March 2015*.

22 Permit land is state land which the government allocates to poor or landless families. Recipients pay a nominal, annually renewable, rent. Permits can be renewed or transformed into a grant or deed if certain conditions are met. CPA, *A brief guide on land rights in Sri Lanka*, September 2014, pp.3-5, 9; CPA, *Memorandum on land issues arising from the ethnic conflict and the Tsunami disaster*, 18 March 2005, p.16.

23 The right to restitution or adequate compensation is referred to, inter alia, in Guiding Principle 21, Framework on Durable Solutions benchmarks 4 and 8 and principle 2 of the *Principles on housing and property restitution for refugees and displaced persons (the 'Pinheiro Principles')*.

24 Brookings-LSE Project on Internal Displacement, *The Impact of Displacement on Dowries in Sri Lanka*, 4 February 2015, pp.4-5, 16.

support return or other choices, the availability of adequate compensation and the rebuilding of infrastructure in order to make return or other options sustainable.

Safety and security

Threats to their physical security as well as continuously high levels of surveillance were important concerns reported by IDPs and returnees under the previous government. There has been some improvement in recent months. The military and the Criminal Investigation Department no longer attend meetings organised by international organisations, although they sometimes do so for community meetings. Surveillance of civilians – including IDPs as well as those who have returned, settled elsewhere, or are locally integrating – has become less regular, but continues on occasions. Events organised on 18 May 2015 in the north and east to commemorate those who died during the war were met with robust surveillance and intimidation of civilians by police and intelligence personnel, some in plainclothes.²⁵

IDPs and returnees still voice security concerns, given the close proximity of military camps to relocation and return areas in Mullaitivu, Kilinochchi, Jaffna and Trincomalee.²⁶ In addition, returning IDPs reportedly have to register with the military as well as with civilian authorities.²⁷ A critical mass of returnees in each location needed to make people feel safer has not been reached. Assistance or compensation for destroyed housing has not yet been forthcoming. Many IDPs have been deterred from going to court to contest state acquisition of their land for fear of intimidation by agents of the state.²⁸

Gender discrimination

Returnee women interviewed contrasted the LTTE's strict non-tolerance of male domestic violence and alcohol and drug abuse with the current situation whereby abusive husbands return home after two days in police custody and continue with the abuse.²⁹ Corrupt police officers reportedly accept bribes and close their eyes to illicit alcohol production, contributing to the increase in domestic violence. When seeking redress for gender-based violence, returned women and girls – all of them Tamil-speakers – face linguistic barriers. Officers staffing the women and child bureaus of the police are usually male, the few female officers only speak Sinhala and it is difficult to find female translators. Staff answering calls to the 119 police hotline only reply in Sinhala.

Ensuring sustainable livelihoods

Underdevelopment and lack of action to restore livelihood opportunities in the north and east mean that IDPs struggle to make ends meet. Many IDPs who have lost access to all or



Road entering Keppapilavu relocation village, Mullaitivu district. © IDMC/Anne-Kathrin Glatz, April 2015

some of their agricultural land and fishing grounds as a result of their displacement depend on irregular daily labour. This is the case for IDPs living in Keppapilavu relocation village in Mullaitivu district, for example. In December 2014, land used for growing rice was released from military occupation, but relocated IDPs are still denied access to agricultural highland, which they would need to diversify cultivation. With their residential land also remaining occupied and with the military continuing to deny direct access, reaching released paddy fields is time-consuming, making production more costly still.

Returnee women heading their households carry a particular burden as they have to fulfil several roles, including that of income earner. Their situation is complicated by the fact that Tamil and Muslim communities sometimes regard women who are working outside their home with suspicion. Other returned women have to support families when husbands spend their earnings on alcohol and drugs. Survival sex has reportedly become a coping strategy for some destitute returnee women in the Vanni, resulting in their social stigmatisation.³⁰

IDP returnee households often have to reconstruct or repair houses as existing housing programmes have not covered all returnees in need. Where family members have been unable to carry out reconstruction work as part of owner-driven housing programmes, they have had to hire unskilled labour. House repair costs have thus contributed to increasing household debt.³¹

Some returned IDPs (both men and women) have taken up employment with the military for lack of other livelihood options. Military commercial enterprises in agriculture, trade, fishing and tourism – which are often subsidised and which may use land to which IDPs have been told not to return – hamper returnees' efforts to establish livelihoods as they find it difficult to compete with military-run enterprises.³²

Access to land: new releases and ongoing military occupation

A total of 9,999 acres of residential and agricultural private land has been occupied by the military, including as part of high security zones, military-run agricultural farms or hotels or special economic zones. Of this land, the Sri Lankan Cabinet

25 Groundviews, *Tamils in North & East Sri Lanka remember those killed despite intimidation and surveillance*, 20 May 2015

26 This is particularly an issue in areas where individual families, rather than whole village communities, are preparing to return to newly released areas, such as in some areas in Jaffna.

27 Groundviews, *Valalai (Jaffna): Re-militarisation of released villages with façade of resettlement*, 17 May 2015.

28 IDMC, *Almost five years of peace but tens of thousands of war-displaced still without solution*, 4 February 2014, p.9. *Observations by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Mr. Pablo de Greiff, on the conclusion of his recent visit to Sri Lanka*, 11 April 2015.

29 IPS, *Former War Zone Drinking its Troubles Away*, 3 August 2014.

30 See also *Sunday Leader*, *"Vulnerable Among the Vulnerable"*, 26 April 2015.

31 CEPA, *Life and Debt: an assessment of indebtedness and socio-economic conditions of housing beneficiaries in Jaffna, Kilinochchi and Mullaitivu*, June 2014, pp.ix-xi.

32 IDMC interviews, April 2015; ICG, *Sri Lanka's North II: Rebuilding under the military*, 16 March 2012, pp.22-23; CWVHR, *Submission to the UN Universal Periodic Review on Sri Lanka, 14th session of the UPR working group, 22 October-5 November 2012*, 22 April 2012, p.3; IDMC, *Sri Lanka: A hidden displacement crisis*, 31 October 2012, pp.7-8.

of Ministers in February 2015 decided to return 1,000 acres in Jaffna and 1,000 in Trincomalee to the original owners. Negotiations to release further areas are reportedly under way.³³

Displaced owners have not been receiving rent from the military, and their protracted displacement is continuing. IDPs thus trapped in poverty include the up to 8,200 IDPs living in slum-like conditions in camps in the Northern and Eastern Provinces and many living with host communities. Assistance to camps has dwindled in recent years. In Jaffna, the owners of land on which some of the camps are located want their land back and IDPs are faced with the threat of forced eviction.

In Mullaitivu district, 203 IDP families (548 individuals) whom the last government relocated in September 2012 from Menik Farm camp to Keppapilavu relocation village were landowners, some with 15 acres. Compensation – ¼ acre of land and a house of dubious quality for each family – has been inadequate. The original village of Keppapilavu remains occupied by the military. As in so many other contexts across the globe, some people lost land titles original land during displacement. IDPs received temporary deeds for their houses

33 *Sunday Observer*, "[Resettlement of IDPs: Sampur Issue Resolved](#)", 9 June 2015.

34 *Asian Mirror*, "[SC Lifts Restraining Order: Sampur Land To Be Handed Back To Original Owners](#)", 20 May 2015; CPA, "[Revoking the creation of the Special Zone for Heavy Industry in Sampur, Trincomalee](#)", 9 May 2015; *New Indian Express*, "[SC Stays Return Of Lands to Sampur Tamils](#)", 17 May 2015; *New Indian Express*, "[Return of Sampur Lands Ends Decade-Long Tamil Struggle](#)", 8 May 2015; IDMC interview, April 2015; *Sunday Times*, "[Sri Lanka receives highest, ever value FDI project - US\\$4 bln, says BOI](#)", 17 June 2012.

35 Nation.lk, "[A delicate balancing act](#)", 9 May 2015. The same is true for some of the areas nearby, which were earlier part of the Sampur high security zone but were opened for return just prior to the presidential election in January 2015.

in the relocation village and are awaiting permanent deeds. A court case brought by IDPs challenging the military occupation is currently pending.

In Mannar district, the village of Mullikulam in Musali DS division remains occupied by the Sri Lanka Navy and 177 families (620 individuals) remain displaced in temporary shelters in the area. In a relocation area nearby, the Navy constructed 26 houses for those families whose houses are still standing inside the Navy-occupied area. Again, this is far from adequate compensation. Most of those remaining displaced have been pushing for return rather than relocation.³⁶

Adequate, effective and prompt reparation for loss of housing, land, property and other assets is essential to comprehensive solutions. Existing institutions such as the Rehabilitation of Persons, Properties and Industries Authority³⁷, established in 1987 to provide those affected by violence with financial means for rehabilitation and reconstruction and now coming under the Ministry of Resettlement, Reconstruction and Hindu Religious Affairs, could be used. Compensation should also include the payment of rent to displaced landowners based on a comprehensive survey to assess land ownership in the north and east.³⁸

36 The majority do not have their own title deeds to the land from which they were displaced as the Church of Mannar is the owner.

37 http://resettlementmin.gov.lk/site/index.php?option=com_content&view=article&id=146&Itemid=72&lang=en

38 As recommended in CPA, "[Discussion Paper: The Need for a Comprehensive Reparations Policy and Package](#)", 27 April 2015, p.10.

Recent land releases in Jaffna and Trincomalee

In March and April 2015, the government released 1,000 acres of previously military-occupied land in Jaffna. Adjacent areas remain within a high security zone, which means that returning IDPs usually find themselves surrounded by or in close proximity to military bases. In several places, village boundaries have not been respected and recently built security fences delineating new boundaries of high security zones cut through some villages and plots. In one area visited by IDMC, residential plots remain inside a high security zone, requiring time-consuming circuitous travel to reach fields.

Returning IDPs have found their houses partially or fully destroyed and their land overgrown. Plot boundaries may no longer be recognisable, given the level of destruction and construction of military tracks. Those who were infants when first displaced 25 years ago may not remember waymarks identifying plot boundaries. Cadastral surveying is thus needed in some areas.

Village water supplies, sanitation services, electricity, public transport and public buildings no longer exist and need to be restored to make return sustainable. Neither these IDPs nor those who returned in previous years have received inadequate compensation for destroyed houses and lost land. Existing housing programmes are not comprehensive, focused as they are on addressing needs rather than redressing past violations. Neither do such programmes dispose of funds sufficient to include IDPs from areas released since January 2015.

In Sampur in Trincomalee district, eight hundred and eighteen acres belonging to 246 families are part of a Special Zone for Heavy Industry set up by the Board of Investment in 2012, while 234 acres belonging to 579 families are occupied by the Sri Lanka Navy. Both areas were originally scheduled to be released in April 2015, but the process has been delayed.³⁴ Interviewees raised concerns about the health risks of returning to live in the area next to the reduced special zone once a planned coal-fired power plant is operational there. No houses or infrastructure remain in the special zone, but there are intact houses and a school in the Navy-occupied area. Roads, electricity, water supplies and healthcare facilities need to be rebuilt.³⁵



Plot in Jaffna district which partly remains inside a military-occupied zone. © IDMC/ Anne-Kathrin Glatz, April 2015



Internally displaced children in a camp in Jaffna district. © IDMC/ Anne-Kathrin Glatz, April 2015

Recommendations

The Government of Sri Lanka, humanitarian actors, development actors, and bilateral and multilateral donors should seize the current opportunity to find solutions for Sri Lanka's protracted IDPs as well as those returnees who still face discrimination in accessing their rights, by following these recommendations:

To the Government of Sri Lanka

1. Update official IDP numbers as well as data on IDPs who have returned, are locally integrating or have settled elsewhere. Seek technical support from the Joint IDP Profiling Service³⁹ to conduct an IDP survey, including a comprehensive durable solutions assessment in order to determine the full scope of support needed.
2. Ensure that the durable solutions strategy and return plan currently under development draw on relevant international standards including the Guiding Principles on Internal Displacement, the IASC *Framework on Durable Solutions for Internally Displaced Persons*, the *Pinheiro Principles on housing and property restitution for refugees and displaced persons* as well as Sri Lankan draft legislation on IDPs of 2008, the 2008 *National Consultation on Durable Solutions* and the *National Involuntary Resettlement Policy* of 2001. The strategy and plan should:
 - Be based on consultation and participation of IDPs as well as civil society;
 - Ensure further release of residential and farmland occupied and used by the military to their displaced owners;
 - Provide assistance to make return a viable option for IDPs, in particular those in the most precarious situations;
 - Provide adequate compensation to IDPs for destroyed property including houses and lost land;
 - End economic activities by the military in return areas in order to reduce unfair competition for IDPs and those who have returned, settled elsewhere, or are locally integrating.

39 <http://www.jips.org/en/home>

To humanitarian actors:

1. Support the government to undertake a comprehensive survey to update available information on the numbers and needs of IDPs, as well as those who have returned, settled elsewhere, or are locally integrating.
2. Support the government in its development of a comprehensive durable solutions strategy and return plan for IDPs.
3. Advocate with development actors and donors to include the needs of displacement-affected populations and facilitation of durable solutions in their planning and programming.

To development actors:

1. Support the government to undertake a comprehensive survey to update available information on the numbers and needs of IDPs as well as those who have returned, settled elsewhere or are locally integrating.
2. Support the government in its development of a comprehensive durable solutions strategy and return plan for IDPs.
3. Within the United Nations Development Assistance Framework mid-term review in mid-2015 and other planning processes, revise the current approach to development fundraising, planning and programming to include a specific focus on displacement-affected populations in the Northern and Eastern Provinces. Development plans should be framed in accordance with displacement dynamics, and exclusion of IDPs from programmes should be avoided.
4. Implement programmes and projects following a community-based and integrated approach, focusing in particular on:
 - Psychosocial assistance and other areas of work not authorised under the previous government and which are urgently needed to facilitate durable solutions for IDPs;
 - Livelihoods assistance, vocational training and capacity building;
 - Community-level reconciliation between Tamil, Muslim and Sinhala communities, including returning and locally integrating IDPs;
 - Permanent housing;
 - Infrastructure essential for durable solutions for IDPs: water and sanitation, public buildings, roads and electricity supply and public transport.

To bilateral and multilateral donors:

1. Reconsider whether Sri Lanka should be classified as a lower middle-income country.
2. Provide funding for a comprehensive survey to determine current numbers of IDPs as well as IDPs who have returned, are locally integrating or have settled elsewhere.
3. Continue to provide funding to help the government and national and international humanitarian and development organisations support displacement-affected populations in the Northern and Eastern Provinces.

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Annex: estimated numbers of IDPs by district as of May 2015^o

District(s) of displacement	District(s) of origin	Families in camps	Individuals in camps	Families with host community	Individuals with host community	Families in relocation sites (still considered IDPs)	Individuals in relocation sites (still considered IDPs)	Families (total)	Individuals (total)
Jaffna ¹	Jaffna	1,318	4,737	Up to 9,309	Up to 31,514	0	0	Up to 10,627	Up to 36,251
Kilinochchi ²	Kilinochchi	0	0	818	2,457	0	0	818	2,457
Mullaitivu ³	Mullaitivu	0	0	101	273	203	548	304	821
Mannar ⁴	Mannar	0	0	177	620	0	0	177	620
Vavuniya ⁵	Kilinochchi and Mullaitivu	302	906	Up to 5,192	Up to 15,577	0	0	Up to 5,494	Up to 16,483
Trincomalee ⁶	Trincomalee	At least 634	At least 2,004	Up to 431	Up to 1,151	0	0	1,065	3,155
Batticaloa ⁷	Batticaloa	0	0	263	887	0	0	263	887
Puttalam ⁸	Northern Province (mainly Jaffna and Mannar)	n/a	n/a	n/a	Up to 12,965	0	0	n/a	Up to 12,965
Total number of IDPs									Up to 73,639

Notes:

^o Sri Lanka's civil administration is set up along the following levels: province, district, divisional secretariat (DS) division, Grama Niladhari (GN) (village officer) division. No detailed breakdown of IDP numbers by district of origin and district of displacement was available for all areas.

¹ The Jaffna total includes up to 8,561 families/29,383 individuals with host communities and 1,318 families/4,737 individuals in camps, all originating from areas in 24 Grama Niladhari (GN) divisions in Valikamam North (Tellipalai) DS division which are occupied by the Sri Lankan military. More than 92 per cent, including all camp IDPs, are in Jaffna, the remainder (about 2,800 individuals) are in other districts. Eighty-nine families/248 individuals living in India and elsewhere abroad who intend to return are not included in IDMC's count.

Another 423 families/1,247 individuals included in the Jaffna figure originate from areas in Valikamam East (Kopay) DS division which are occupied by the Sri Lankan military. The remainder originate from other parts of Jaffna.

In addition, an unknown number of landless Muslim IDPs (couples who got married during displacement and their children) are living in temporary shelter in Jaffna, including on private land belonging to local mosques.

² These IDPs are living in Karachchi, Kandawalai, Pachchilaipalli and Poonakary DS divisions.

³ They are living in Oddusuddan, Maritimé pattu, Puthukudiyiruppu and Weli Oya DS divisions. In addition to government figures (101 families/273 individuals with host communities), IDMC counts as IDPs 203 families/548 individuals among the 360 families (1,000 individuals) living in Keppapilavu (Sooripuram) relocation site and owning land in Keppapilavu (Maritimé pattu DS division), their village of origin. The remainder are landless. Only this latter group moved to the relocation site voluntarily when it was set up in 2012.

In addition, there are unconfirmed reports that 17 families were relocated by the military to a site in Thirumurikandy GN division, Mullaitivu district in 2012. Their area of origin remains occupied by the military, but they lack the documents necessary to prove their ownership.

⁴ These IDPs originate from Mullikulam village in Musali DS division, which remains occupied by the Sri Lanka Navy. Another 160 families (512 individuals) agreed to relocate to an area nearby and are no longer considered IDPs.

⁵ The government counts 340 families/1,082 individuals living with host communities in the district's Vavuniya, Vavuniya North and Vengala Cheddikulam DS divisions. IDMC includes a total of up to 5,494 families/16,483 individuals living in Vavuniya district. Among them, up to 5,192 families/15,577 individuals living with host communities remain in limbo. Before they can be taken off the list of IDPs, their situation needs to be comprehensively assessed in terms of their prospects for or achievement of a durable solution.

The remainder, or 302 families/906 individuals, have been living in IDPs in camps in Vavuniya Town North GN division in Vavuniya South DS division since 1990 and are landless. One hundred and fifteen of these families, living in Poonthodam, have voluntarily chosen to be relocated, while the others (187 families living in Sithamparapuram) have been trying to integrate locally. Both processes have only just begun and IDMC therefore still counts them as IDPs. Where not available, the number of families displaced in Vavuniya was calculated using an average family size of three (as per UNHCR's compilation of government data, 31 December 2012), which may underestimate real family sizes.

⁶ The total includes 634 families/2,004 individuals living in three official camps (Kiliveddy, Paddithidal and Manalchenai) and one unofficial camp (Kaddaiparichan) as well as 191 families/594 individuals living with host communities. They originate from parts of Sampur West, Sampur East

and Kadatkarachenai GN divisions in Muthur DS division which are occupied by the Sri Lanka Navy or fall under a special economic zone. More than 93 per cent among them are in Trincomalee, the remainder (about 190 individuals) are in other districts. In addition, it includes 240 families/557 individuals staying with host communities and originating from Kinniya DS division.

⁷ They are living in Koralaipattu (Vaharai), Koralaipattu North, Porativupattu (Vellavelly), Manmunai South West (Paddipalai), Eravurpattu (Chenkaldy), Koralaipattu South (Kiran), Koralaipattu Central and Manmunai North DS divisions.

⁸ Data as of March 2011 (UNHCR compilation of government data, 31 December 2012). While most or all of them may have registered as returned to their home areas in the north, many of them continue to live in Puttalam, but have not managed to locally integrate there, or live between Puttalam and the north. They are no longer included in the government's count. Before they are taken off the list of IDPs, they need to be included in a comprehensive survey and durable solutions assessment.

Sources:

Ministry of Resettlement, Reconstruction and Hindu Religious Affairs, Resettlement Figures as of 30 April 2015; Table dated October 2013: Valikamam North population to be resettled (on file with IDMC); Table dated 31 October 2013: Details of Valikamam North, Tellipalai IDPs in Welfare Centres (on file with IDMC); IDMC interviews, December 2013, January to June 2015; Table dated 3 October 2014: Muthur DS Division: Families staying in welfare centres and with friends and relatives (on file with IDMC); UNHCR compilation of government data, 31 December 2012 (on file with IDMC)