

Internal displacement in Sri Lanka¹

Memorandum for members of the Human Rights Council (25th session)

26 February 2014

1. Current situation and main concerns

As of February 2014, four-and-a-half years after the end of Sri Lanka's internal armed conflict, the following groups of people having experienced internal displacement remain of concern:

1. An estimated up to 90,000 people were still living in internal displacement as a result of the conflict, tens of thousands among them with host communities and more than 7,000 IDPs in camps.
2. Tens of thousands among the more than 480,000 returnees went back without adequate shelter, water, sanitation and other infrastructure being in place. They have not been able to rebuild their homes, access basic services and restore their livelihoods or secure new ones.
3. The government moved several thousand people to permanent relocation sites. They are no longer officially counted as IDPs, even though relocation has reportedly not always been the result of a voluntary or fully informed settlement choice.
4. An unknown number of long-term IDPs, including northern Muslims, were deregistered as IDPs but have not achieved a durable solution, be it through sustainable return, local integration, or settlement elsewhere in Sri Lanka.

Independent and comprehensive figures on internal displacement in Sri Lanka are increasingly hard to come by. Official numbers have fallen since the end of conflict as the government has deregistered IDPs, but no comprehensive assessment has been carried out to determine whether or not they had achieved a durable solution.

Both current and former IDPs face a number of obstacles in their search for a durable solution. These include the military occupation and state acquisition of land, other land issues, the militarisation of civilian life, and gaps in the areas of housing, water and sanitation, livelihoods and food. It is hoped that the joint needs assessment the government plans to undertake in early 2014 with its humanitarian and development partners will go some way to documenting progress towards durable solutions.

¹ This memo is based on NRC-IDMC, [Sri Lanka: Almost five years of peace but tens of thousands of war-displaced still without solution](#), 4 February 2014, which includes all sources used.

Sri Lanka has no legislation or policy on internal displacement. The current draft policy needs to be revised in order to bring it in line with international standards. Previous and more comprehensive Sri Lankan documents including the 2008 draft bill on IDPs' protection and the 2008 national consultation on their status are still relevant and should be built upon.

2. Recommendations

At its 25th session the Human Rights Council should call on the Sri Lankan government to take the following key steps to ensure that current, returned and relocated IDPs can find solutions to their displacement. They will also help address the grievances that lie at the root of the country's civil war:

1. Adopt an IDP policy which meets international standards. Building on the stalled Sri Lankan draft bill of 2008 and the recommendations of the 2008 national consultation on the status of IDPs and durable solutions, the current draft policy should be revised, including in the following ways:

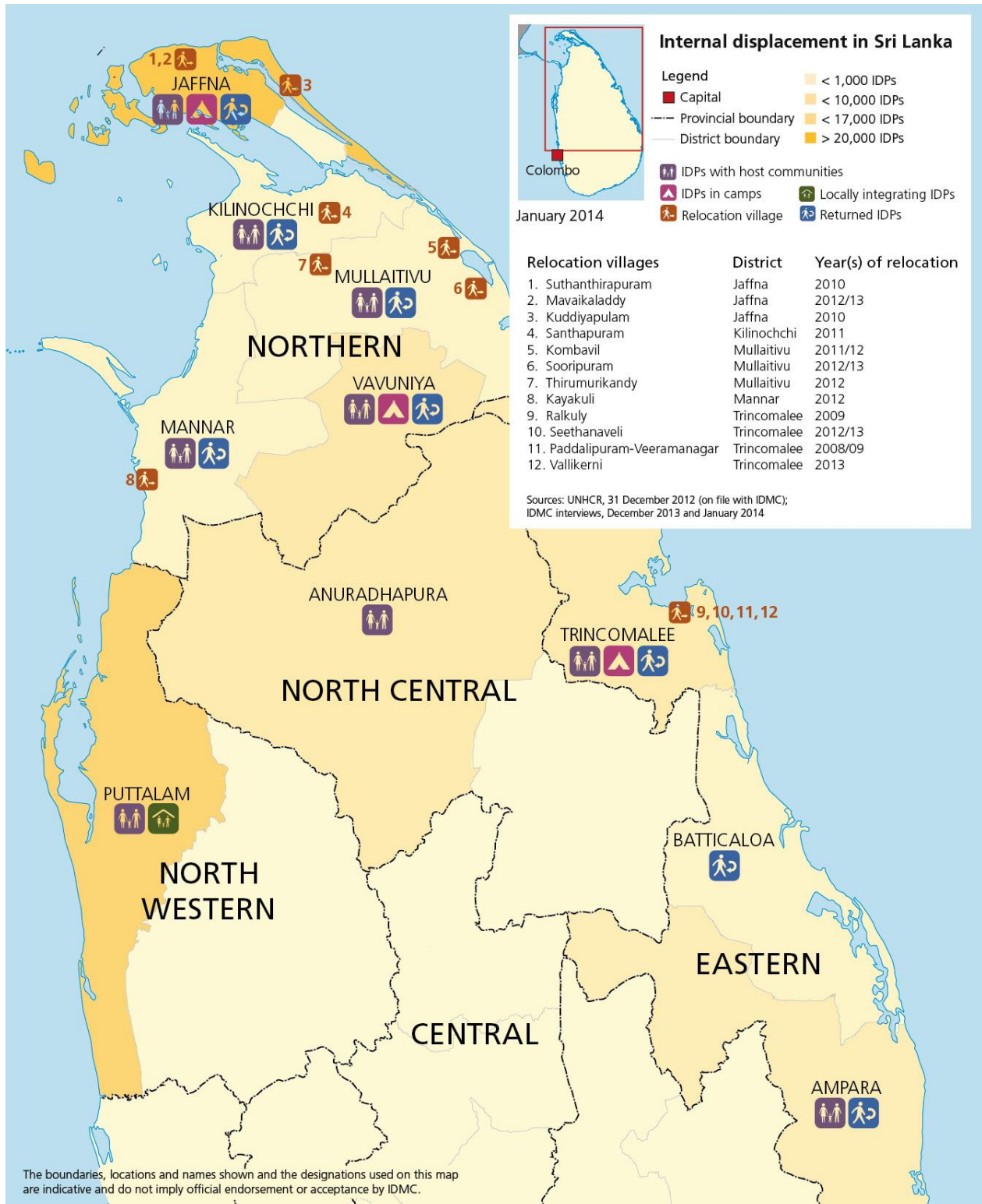
- a) It should address not only conflict-induced displacement, but also that caused by natural disasters and development projects, as well as all phases of displacement up to and including the achievement of durable solutions.
- b) It should be developed with the consultation and participation of stakeholders including IDPs, host communities, civil society organisations, and local authorities.
- c) It should facilitate the implementation of the Guiding Principles and other relevant international standards in the Sri Lankan context, including by spelling out the institutions and organisations responsible for the implementation of each of its elements.

2. Defuse tensions between different ethnic communities. Building on the recommendations of its Lessons Learnt and Reconciliation Commission, the government should initiate a meaningful reconciliation process between the country's Sinhala, Tamil, and Muslim communities to prevent further tensions between them, in particular those who have been displaced. This should include the setting up of a mechanism to resolve complex land issues. The government also needs to take a clear stand against recent attacks by extremist Buddhists against Muslim religious sites and business properties in different parts of the country.

3. Restore land to IDPs and reduce military presence. A true post-war transition will require a reduction in the military presence in the north and east and for military occupied land to be returned to IDPs. Where this is not possible, adequate compensation must be given. The local administration needs to be fully controlled by civilian officials instead of the military.

4. Reinvigorate employment. Instead of spending its resources on large infrastructure projects, the government must reinvigorate employment levels by fostering small businesses and support the creation of long-term employment for current, returned and relocated IDPs.

5. Assess the most pressing concerns of those in need. Together with its humanitarian and development partners the government must make sure that the planned Joint Needs Assessment includes all aspects relevant to the situation of current and former IDPs.



Map by: IDMC