



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Sri Lanka

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN FOR SRI LANKA

Part I: OVERVIEW

1. Protection and socio-economic operational environment

The Government of Sri Lanka (GoSL) initially invited UNHCR to facilitate the repatriation of some 100,000 Sri Lankan refugees from India in 1987. However, when the internal civil conflict intensified in the early nineties, and generated further widespread internal displacement in ensuing years, UNHCR was asked to extend its mandate to provide protection and assistance to some 800,000 internally displaced persons (IDPs). The extension of UNHCR's mandate in relation to IDPs was endorsed by the United Nations Secretary General in 1991, and reaffirmed in 1997.

Although the fighting has been largely confined to the North and East of the island, Sri Lanka's protracted civil conflict has had devastating effects on the country and its population as a whole, permeating nearly all aspects of life: family structure, politics, administration, infrastructure, environment and economic outlook included.

Almost half the post-conflict internally displaced population (some 380,000 IDPs) has spontaneously returned since the Ceasefire Agreement between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) was signed in 2002, however the return movement slowed down significantly in 2004 and the first months of 2005. Due to several factors, the "residual caseload" of IDPs will require more assistance in order to find alternative solutions to displacement (including relocation and reintegration).

At the beginning of 2005 there remained over 350,000 IDPs in Sri Lanka. Of these, 73,000 were residing in welfare centres and 'relocation sites'. In addition, an estimated 130,000 Sri Lankan refugees were living abroad, of which approximately 70,000 were housed in camps in Tamil Nadu, India.

In 2006 UNHCR's country programme for Sri Lanka will focus on providing protection and durable solutions for the more vulnerable IDPs, including those remaining in welfare centres, those in the process of integrating into new locations, and those in returnee locations. Further, the voluntary repatriation of refugees from the camps in southern India will continue to be a critical part of the programme. As a result, the Country Operations Plan for 2006 focuses primarily on assisting those IDPs and refugees for whom other actors, in particular the GoSL, are unable to ensure safe and dignified return back to their original areas of residence, or integration into their areas of displacement.

The Country Operations Plan 2006 also intends to ensure a smooth transition from protection/relief to protection/development activities. This strategy is focused on gradually and responsibly disengaging from emergency relief work as development actors increasingly implement effective activities to provide sustainable futures for IDPs and returnees. A strategy is already in place to ensure that any potential transition gap between relief, rehabilitation and reconstruction will be minimized. A key element of that strategy is continuing close cooperation and joint planning amongst the UN agencies and International Financial Institutions (IFIs) including the World Bank and the Asian Development Bank. The strategy also includes a joint UNDP, ILO, UNICEF and UNHCR

4Rs Project in North East Sri Lanka. The 4Rs Project TRP supports a community-oriented, integrated, area-based approach, and consists of a package of inter-agency related activities focusing on various sectors in order to make return sustainable and stabilize population movement.

There are several potential obstacles to UNHCR achieving its goals of assisting all remaining Sri Lanka IDPs and refugees to find a durable solution to displacement. The general elections in April 2004 saw a change of government in Sri Lanka. The new Government immediately confirmed its commitment to peace and its intention to continue the peace talks, from which the LTTE had temporarily withdrawn in April 2003. Unfortunately, nearly a year down the track, the ruling coalition continues to be plagued by internal conflict. Notwithstanding this, the Ceasefire Agreement continues to hold, despite reportedly regular violations by both sides. Prospects for the parties to move towards a peace agreement remain reasonable, though not guaranteed. The return of a sizeable portion of the remaining displaced population, and the time within which this occurs, will depend on whether, and how quickly, demonstrable progress is made towards a Peace Agreement.

In late 2004 the Indian Ocean tsunami caused further destruction and devastation on the island of Sri Lanka. UNHCR's involvement in the emergency response was undertaken at the request of the UN Secretary-General, largely due to the magnitude of the disaster and the agency's particular ability to respond immediately (owing to its existing presence, experience and relief supplies). The consequent need to temporarily refocus operations was not anticipated when the 2005 Country Operations Plan was developed. It is, however, expected that UNHCR's involvement in all tsunami-relief sectors except protection will have ceased by the beginning of 2006. In the meantime the situation on the ground is complicated by the fact that, as UNHCR maintains, and in line with accepted international human rights principles, it is not appropriate to discriminate between IDPs according to their cause of displacement (tsunami, conflict, or both).

Other major obstacles impeding solutions for remaining IDPs are related to the lack of basic infrastructure, employment and income generation opportunities, landlessness and the continuing presences of landmines. In addition, agricultural land and other opportunities to generate income have to be identified and created for a large number of landless IDPs.

Assisting those who have remained in displacement for over a decade and finding durable solutions for those displaced since the tsunami remain a serious challenge. UNHCR will continue to advocate for equal treatment for both those displaced by the conflict as well as the tsunami. UNHCR's Country Operations Plan for 2006 has been developed with this clearly in mind.

The overall objective of UNHCR's involvement in Sri Lanka is to enhance access of IDPs to national protection, while urgently and effectively responding to the protection needs of returnees and remaining refugees. In this context, UNHCR intends to strengthen its protection capacity to meet expectations in 2006 by maintaining protection monitoring and conducting appropriate interventions, and by utilising the many partnerships established in its field protection network. Finally, sharpening the focus of programmes to improve the quality of protection (particularly in the areas of human security, minority rights and land and property restitution issues) and appropriate dissemination of relevant information to and about IDPs and returnees will be crucial.

2. Operational goals and potential for durable solutions

The operational goals for UNHCR Sri Lanka in 2006 are aligned with the *UNHCR Global Strategic Objectives 2006-2007* and the Regional Bureau for Asia and the Pacific's *UNHCR Objectives in Asia and the Pacific 2005-2007*. The following operational goals have been established for 2006:

- To continue to promote and protect the rights of IDPs ensuring, to the extent possible, equitable treatment between conflict-displaced and tsunami-displaced. Protection activities will be carried out in districts where these displaced communities live side by side, mainly in the North and East (where UNHCR has traditionally worked), but also in certain districts in the South through joint UN inter-agency missions.
- To assist the Government of Sri Lanka and the Government of India to implement a voluntary repatriation program for those refugees residing in camps in southern India.
- To provide equitable physical security for vulnerable persons displaced by the conflict through upgrading and maintaining the living conditions in the government-run welfare centres. This intervention is meant to ensure minimum security and dignity in these collective accommodations until a durable solution for each family can be found, either through return to place of origin or voluntary relocation to another location of choice.
- To continue to monitor the overall protection and security situation of vulnerable IDPs, especially women and children, with special emphasis on addressing issues of sexual and gender-based violence (SGBV).
- To provide protection and legal advice to individuals in recovering lost documents, including birth and death certificates, national identity documentation and land and property documentation based on a sound registration.
- To strengthen policies, rights and conditions for persons of concerns, through supporting and capacity-building the Government of Sri Lanka's institutions, as well as national NGOs which have a particular focus on enhancing national protection, including for victims of sexual and gender-based violence.
- To continue to lobby for accession to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.
- To address the emergency humanitarian needs of spontaneous returnees and those remaining displaced.

It is estimated that the majority of IDPs who are willing and able to return will have done so by the end of 2005, and therefore in 2006 efforts will extend to finding alternative solutions, such as relocation and local integration, for those remaining. In 2005 UNHCR will be focusing on restitution of documentation and land and property rights of IDPs, and it is envisaged that these efforts will need to continue into 2006. In addition, various activities to empower communities to be self-reliant and make informed, independent choices about their preferred durable solution will be explored. In 2006 attention will

increasingly focus on promoting local integration, and assisting the Government to develop a system whereby persons who have found alternative durable solutions are no longer considered IDPs.