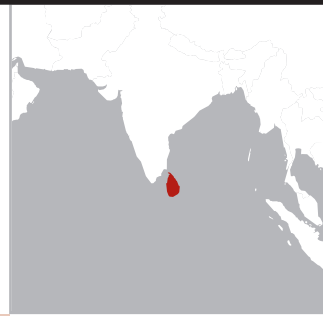


Sri Lanka

AT A GLANCE



Country data *(2006 figures, unless otherwise noted)*

- 2007 Human Development Index: ranked 99th of 177 countries
- Population: 19.89 million
- GNI per capita (Atlas method, current US\$): US\$1,310
- Population living on less than US\$2 a day (1990–2005): 41.6 percent
- Life expectancy: 75 years
- Infant mortality rate (2006): 11 per 1,000 live births
- Under-five infant mortality rate (2006): 13 per 1,000
- Population undernourished (2002–2004): 22 percent
- Population with sustainable access to improved water source (2004): 79 percent
- Adult literacy rate (over 15 yrs of age) (1995–2005): NA
- Primary education completion rate: 108 percent
- Gender-related development index (2005): ranked 88th of 177 countries
- Official development assistance (ODA): US\$796 million
- 2007 Corruption Perception Index: ranked 94th out of 179 countries

Sources: Transparency International, 2007; UNDP, 2007a and 2007b; World Bank, 2008.

The crisis

- Conflict between Sri Lankan state and Liberation Tigers of Tamil Eelam (LTTE) lasted over 25 years, claiming over 70,000 lives, displacing hundreds of thousands;
- Violence increased following collapse of 2006 ceasefire; over 4,200 civilian casualties and assassinations in military confrontations and terrorist attacks;
- Number of IDPs increased from 66,203 to 208,717 by August 2006, rising to 308,612 end-March 2007, adding to .5 million people already uprooted by 2004 tsunami and past conflict;
- 104,678 IDPs returned to homes in Batticaloa in December 2007;
- Chronic under-development; Sri Lanka categorised as middle-income food-deficit country; 41.6 percent live below poverty line;
- Severe humanitarian crisis in north-east; child malnutrition levels high in conflict zones; 40 percent children underweight; 25 percent stunted; 23 percent wasted.

Sources: UNHCR, 2007; UNDP, 2008; and World Food Programme, 2008.

The humanitarian response

- Participants in 2003 Tokyo Conference on Reconstruction and Development of Sri Lanka pledged US\$4.5 billion for four years; (the tsunami donors had pledged US\$5.5 billion for Sri Lanka);
- Total 2007 humanitarian aid to Sri Lanka US\$132.7 million;
- Largest donors were United States (US\$35.2 million, 26.6 percent); EC/ECHO (US\$18.1 million, 13.7 percent); Norway (US\$12.8 million, 9.7 percent); CERF (US\$11.8 million, 8.9 percent); and Australia (US\$10.4, 7.9 percent); unspent from 2006 (US\$5.4 million, 4.1 percent);
- 2007 CHAP increased from US\$66 million to US\$133 million, 74 percent funded;
- 25 humanitarian workers killed in 2006 and 22 in 2007, making Sri Lanka one of most dangerous places for aid workers in the world; UNICEF openly accused by government of helping the LTTE; other aid actors targets of suspicion, under parliamentary investigation.

Sources: Tsunami Evaluation Coalition, 2006; and OCHA Financial Tracking System, 2008a.

Sri Lanka

A Forgotten Complex Emergency – Back to War Again

RICCARDO POLASTRO, Head of Evaluation, DARA



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Introduction¹

The internal conflict between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE) has lasted more than 25 years, claimed over 70,000 lives, and displaced hundreds of thousands of people. The conflict has often been defined as an ethnic struggle between the predominantly northern Tamil minority – who claim they have been denied their human rights and equitable participation in the country's governance – and the dominant Sinhalese majority, with the Muslim minority also drawn into the conflict. The result has been a complex emergency and grave humanitarian crisis, compounded by the renewed pursuit by both the government and LTTE of military solutions. Sri Lankan society has been increasingly polarised and radicalised along

ethno-political lines, and humanitarian actors are subject to suspicion and hostility. While violations of international humanitarian law and human rights are pervasive and committed by all sides in the conflict, access to the needy population is severely limited and exacerbated by one of the world's worst security situations for humanitarian actors. By 2008, the International Crisis Group wrote: "The humanitarian crisis is deepening, abuses of human rights by both sides are increasing, and those calling for peace are being silenced."²

Throughout its decades-long history, the conflict has varied in intensity and location, and, since the progressive collapse of the internationally-sponsored ceasefire in 2006, has seen an increase in violence. The government has retaken much of the east, the frontline

of hostilities has shifted north towards LTTE-controlled areas, and terrorist attacks by the LTTE have increased.

The scarcity of media coverage of this deteriorating humanitarian situation may perhaps be explained by the protracted and fluid nature of the conflict. Since the crisis has relatively limited regional impact – India being the most engaged regional player – it is not considered “news.” Due to its re-escalation, donors and media are tiring of the conflict, especially after the enthusiasm of the 2003 Tokyo Conference for Peace and Reconstruction. Disappointment has translated into donor reluctance to fund recovery activities and in some cases have scaled down assistance. The new phase of military confrontation has both displaced sections of the civilian population, increasing humanitarian needs, and also created the conditions for return by people who were previously displaced, particularly in the east. The humanitarian response to this situation provides an opportunity to analyse donor behaviour in light of the Good Humanitarian Donorship (GHD) *Principles* regarding impartiality, neutrality, and independence, protection of civilians, funding in proportion to needs, and linking relief to recovery and long-term development (Principles 2, 3, 6, and 9).

The conflict and its impact: International humanitarian law, human rights, and forced displacement

Prior to the Ceasefire Agreement (CFA) of February 2002, 65,000 people lost their lives; 1.7 million – one-fifth of the population – were internally displaced, and the economy severely damaged. The CFA facilitated the longest period of peace for the northeast since 1983 and access for the first time by relief agencies. Internally displaced persons (IDPs) and refugees began to return to their homes in LTTE-controlled areas after more than three decades.³

However, Norwegian-brokered peace talks stalled when monitors reported escalating ceasefire violations by both sides in mid-2006, peaking in intensity in July of that year.⁴ As the situation deteriorated, the four co-chairs of the peace negotiations (the United States, the EU, Japan, and Norway) threatened to pull out of the talks and freeze all assistance other than humanitarian aid. Although the government and LTTE met in October of 2006, this only reinforced the perception that neither party was willing to talk meaningfully.⁵ Since then, violence has become a persistent reality. In 2007, fighting escalated in the north and east, with the

government claiming by mid-2007 to have control over the east, including several traditional LTTE strongholds.⁶

The government formally ended the ceasefire in January 2008, with both parties clearly determined to find a military solution. Implementing agencies reported growing extremism on both sides along ethnic, religious, and political lines.⁷

Since the ceasefire ended, more than 4,200 civilian casualties and assassinations have been reported, the consequence of increasing military confrontations and terrorist attacks, particularly LTTE suicide bombings. The level of insecurity among the civilian population is multiplied by several factors, including the emergence of new paramilitary groups on the government side, the increasing polarisation, politicisation, and militarisation of society, and grave human rights violations by all sides, for which no one is held accountable. When the UN recorded more disappearances in Sri Lanka last year than in any other country, the United States, Switzerland, and the EC, pressed to send in human rights monitors, a proposal which was rejected by the government.⁸

All parties to the conflict are accused of deliberately violating international humanitarian law by targeting civilians, and of indiscriminate bombardment, the use of human shields, attacks on hospitals and places of refuge, extra-judicial killings, abductions, disappearances, targeted assassinations, and persistent conflict-induced displacement.⁹ The civilian population is trapped in the conflict, which compels them to flee; but they are prevented from escaping areas under direct attack. Large numbers of people are brutally uprooted, in most cases without any military imperative. Both the government and the LTTE have generally failed to protect civilians in conflict-torn areas and do not respond to the needs of the IDPs in their areas of control. According to the UN Guiding Principles on Internal Displacement, the government is primarily responsible for the protection and security of IDPs, while the LTTE is responsible for those in areas under its control. Indeed, the protection of basic human rights represents one of the fundamental challenges of the conflict. For example, IDP camps are infiltrated by armed men and people are abducted.¹⁰ Furthermore, many are unable to return due to the fluid and insecure situation. In the words of one displaced person: “I still don’t feel it’s safe enough to return. The situation is still unpredictable. Only yesterday someone in the village was injured by a mine. My three girls are the most important thing for me, and I won’t put them at risk in any way.”¹¹

the previous year, mainly from money committed to the tsunami response.

In response to the changing humanitarian situation, the UN Common Humanitarian Action Plan (CHAP) more than doubled in 2007, increasing from US\$66 million to US\$133 million. However, CHAP did not include all humanitarian assistance, because many organisations did not include operations already funded. For example, it represents only 40 percent of ECHO funds.

In 2007, the contribution via CERF to UN agencies was significant.¹⁸ However, some donors interviewed consider that this new instrument is not being used effectively to promote early action to reduce loss of life and respond to time-critical needs, complaining that it has been used primarily to bridge the funding gap in CHAP.¹⁹ The UN is absorbing most unearmarked funds, thus draining available resources for NGOs and the Red Cross Red Crescent Movement. Some donors consider that CERF is cumbersome and bureaucratic and that the UN machinery is not only more expensive, but reaches fewer beneficiaries, has a smaller impact, and is less flexible and accountable.²⁰

Dialogue with the government is problematic, as it has become more nationalistic and less open to criticism from donors, in part because it is less dependent on traditional bilateral aid, and receives more support from regional allies such as China, India, and Pakistan. The President claimed that Sri Lanka is “no longer a poor country thriving on aid and subsidies of the world. Our per capita income has risen to US\$1,625 now. We need not bow our head to anyone, but we are prepared to listen to the constructive criticism and prudent advice of others.”²¹ Donor engagement with the LTTE is practically impossible because of its violent tactics and its classification as a terrorist organisation by numerous countries, including the United States and the EU.

To date, funding for humanitarian causes in Sri Lanka has never been a major problem. The 2007 CHAP was 74 percent funded. Most donors present in the country actively support GHD Principles 10 and 14 and contribute to the UN and the ICRC, as well as to CHAP. In line with GHD Principle 5, CERF, ECHO, and USAID provided timely humanitarian funding. However, in the case of ECHO, some implementing partners pointed out that the administrative process in Brussels was long and the transfer of funds slow. As a result, the implementing agencies had to use their own funds, despite having to begin and complete the project according to the time line approved in the programme document.

The displaced are primarily from the Tamil and Muslim minorities, particularly in the east. The UN estimates that the number of IDPs soared from 66,203 to 208,717 between July and August 2006, rising again to 308,612 at the end of March 2007, following government incursions along the east coast. This new wave of displacement comes in the wake of the uprooting of some half a million people by the 2004 Indian Ocean tsunami and previous conflict. As a result, Asia has one of the highest population displacements both in absolute terms and as a percentage of the population (2.3 percent).¹² According to the Norwegian Refugee Council, in August 2007, the number reached approximately 460,000.¹³ However, the government maintains that the forced displacement due to the conflict is not as significant as is claimed by the international community.¹⁴ The UN High Commissioner for Refugees (UNHCR) estimates that the total number of IDPs fell to just under 188,000 by December 2007, mainly due to the number of returnees to the eastern district of Batticaloa following the reestablishment of government control in the area.¹⁵ The majority of the displaced remain concentrated in the north, in areas under LTTE control.

More than 18,000 have fled by boat to India, while some 100,000 refugees live in more than 100 refugee camps in Tamil Nadu, India. Their health conditions are generally poor, with many women and children suffering from anaemia, skin disease, and malnutrition. There is also a large and active Tamil diaspora, primarily in Canada, the UK, and Australia.

Donor behaviour: Fatigue from ceaseless conflict

Participants in the 2003 Tokyo Conference on Reconstruction and Development of Sri Lanka pledged US\$4.5 billion over a four year period. In contrast, during the tsunami donors pledged US\$5.5 billion for Sri Lanka.¹⁶

Total contributions of humanitarian aid in 2007 to Sri Lanka amounted to more than US\$132.7 million.¹⁷ The largest donors were the United States with US\$35.2 million (26.6 percent of total funding); EC/ECHO with US\$18.1 million (13.7 percent); Norway with US\$12.8 million (9.7 percent); the Central Emergency Response Fund (CERF) with US\$11.8 million (8.9 percent); and Australia with US\$10.4 (7.9 percent). A further US\$5.4 million (4.1 percent) consisted of unspent funds carried over from

Organisations interviewed during the field mission reported an important degree of donor engagement at a senior level on advocacy issues. For example, in the Consultative Committee on Humanitarian Affairs (CCHA) ambassadors raised issues related to international humanitarian law, human rights violations, taxation, and the denial of visas to international staff.²² Implementing agencies repeatedly described the dialogue between humanitarian actors and donors as constructive, and donors generally felt that the partnership was an equal one.

Lack of a common donor approach

Despite the good working relationship between humanitarian actors and donors, many in the international community consider the main problem to be the lack of commonality in the approach used by various donors. On the one hand, Japan, the largest OECD/DAC provider of development assistance in Sri Lanka, takes a somewhat uncritical stance towards the government. The western donor community, on the other, prefers to use a rights-based approach and conditional aid. According to representatives interviewed, EU countries were more sensitive to and actively engaged in the humanitarian issues, while the United States seems more active around conflict issues.²³

According to humanitarian actors interviewed, some donors are showing a lower level of engagement because of the collapse of the peace process and the apparently endless nature of the crisis. In addition, some donors fear that their funds could be used to fund armed groups, given the high levels of corruption and the culture of impunity. At a meeting with UN agencies in March 2008, some donors expressed their intention not to invest funds beyond humanitarian aid. In fact, some donors such as the UK, German and Spanish governments have cut their aid budgets in the last year and are withdrawing from the country. Others, notably Denmark, Sweden, and the Netherlands, plan to follow suit. In part, this trend shows that the country is no longer considered a priority, since the parties to the conflict have formally withdrawn from the peace process and because Sri Lanka, overall, has achieved the economic and human development indicators of a middle-income country. However, it is important to note that internal conditions vary considerably, and are much worse in the conflict-torn north and east.

Therefore, according to UN officials, obtaining money for recovery has become a major challenge due to donor fatigue, the volatile context, and the continu-

ing conflict, especially in the north. Many organisations find themselves back at square one, dealing mainly with emergency needs rather than recovery and long-term development. Even though resettlement has taken place in some areas, recovery has not yet begun. According to a December 2007 report by UNHCR, 104,678 people returned to Batticaloa after the area came under government control. And because most programmes are short term, building local partner capacity is not a priority. At present, some donors see an underlying tension between GHD Principle 9 (*provide humanitarian assistance in ways that are supportive of recovery and long-term development*) and Principle 2 (*humanitarian action must not favour any side in an armed conflict*).

Therefore, in 2007, donors primarily supported emergency assistance and protection-related activities, such as food, shelter, water, and sanitation interventions aimed at meeting the increasing needs of the conflict-affected population. Only Japan, Australia, Canada, Denmark, the EC Uprooted Fund, Germany and Norway (through the UNDP transition programme), and the United States (through United Methodist Committee on Relief) are actively engaged in funding recovery in the government-controlled areas in the east.

To remain impartial and prevent the misuse of aid, 12 key donors and the UN adopted a set of Guiding Principles for Humanitarian and Development Assistance in May 2007. These included impartiality, non-discrimination, respect for human dignity, consultation and participation, and coordination to protect humanitarian space.²⁴ A number of these principles reflect the Red Cross Code of Conduct and are in line with many of the GHD *Principles* and objectives. The Guiding Principles are aimed at improving aid effectiveness and cooperation among government authorities, donors, and implementing agencies, safeguarding humanitarian space, and promoting respect for international humanitarian and human rights law.

However, the parties to the conflict have not abided by these principles. Multiple violations of security, access, impartiality, transparency and accountability, as well as respect for human dignity have been reported.

Implementation of the humanitarian response: Changing needs and shrinking humanitarian space

Sri Lanka suffers from widespread and chronic underdevelopment and is categorised as a middle-income food-deficit country in which an average 41.6 percent

of the population lives below the poverty line.²⁵ However, 25 years of conflict have had a major impact on economic and social development and have created – especially in the north and east – a severe humanitarian crisis. Under-five malnutrition levels are especially high in these areas, with 40 percent of children underweight, 25 percent stunted, and 23 percent wasted.²⁶

Renewed conflict and increasing displacement

With regard to Sri Lanka, the humanitarian system has experienced a structural shift since 2005, with many assuming that the country was moving towards peace. When this turned out not to be the case, the staff and financial resources of most humanitarian agencies found themselves unable to cope with the needs created by renewed conflict.²⁷ Increased violence in late 2006 and a sharp increase in the numbers of displaced posed a serious challenge to the humanitarian community and prompted many organisations to reorient their activities and issue revised appeals. For example, the World Food Programme had to suspend its mother and child nutrition and school feeding programmes in order to meet the basic food needs of 50 percent more people.²⁸ Similarly, the ICRC shifted its focus from community-based health programmes to emergency activities, including the provision of medical supplies to hospitals.²⁹ Schooling for more than 250,000 children was disrupted, requiring emergency classes in temporary buildings. By May 2007, Jaffna and Batticaloa districts were considered “humanitarian emergencies;” Kilinochchi, Mullaitivu, Mannar, Vavuniya, and Trincomalee were assessed as “acute food and livelihood crises,” and Ampara was classified as “chronically food-insecure.”³⁰ Moreover, many unregistered IDPs, living outside the camps with host families, did not receive any support or government rations, especially in areas under LTTE control, or where the population was perceived as not supporting the government.

In general, in 2007, humanitarian actors were better prepared than in previous years. Learning from the previous months’ sudden influx of IDPs, and in line with CHAP, they created a contingency plan for more than 500,000 persons. Therefore, as of early 2008, most organisations were better prepared to respond to new displacements.

The ICRC Head of Delegation expressed concern about “the impact the heightened violence is having on civilians,” particularly in the north.³¹ The continued deterioration of the situation made the need for life-saving and life-sustaining activities more acute. Since mid-2007,

despite strong coping mechanisms, the growing humanitarian concern is civilian access to basic food supplies and non-food relief items. Interviewees reported little freedom of movement for civilians – with an attendant impact on their livelihoods and employment opportunities – and increased difficulties accessing food and health care. The movement of goods was also seriously affected, resulting in shortages and price increases. Government fishing bans further aggravated the situation. There are reports of forced recruitment into guerrilla groups and armed factions.³² Key survey informants revealed that in the northern Vanni district forced recruitment of civilians continues, with one to two people per family estimated to be coerced into joining the LTTE.³³

The situation in the east was drastically different. With the collapse of the ceasefire and a successful government offensive since 2006, many IDPs were able to return to areas which had previously been under LTTE control. Upon returning, however, they faced acute difficulties. Many found their homes and basic infrastructure damaged or destroyed. They could not work, as tools and equipment had been looted, and they lacked the funds to replace them. Property restitution, ethnic prejudice, security threats, and landmines were only some of the problems returnees experienced, especially those who had been displaced several times. Security concerns, embargoes, and the closure of main transport routes threaten livelihoods in the long term and building materials are not easily available. Lastly, the capacity to protect returnees has fluctuated according to the political climate, and a number of human rights organisations have reported forced resettlement and questioned whether the IDPs are returning voluntarily.³⁴ Only UNHCR and ICRC managed to continue to guarantee basic protection. Nevertheless, as resettlement proceeds, ethnic tensions are on the rise, as the best land is being assigned to government supporters. Interviewees considered the situation potentially explosive.³⁵

In government controlled areas, and other areas without active hostilities, the link between emergency relief, rehabilitation, and development is weak because most donors consider Sri Lanka to be an ongoing humanitarian, rather than a post-conflict, situation. Therefore, they fund relief activities primarily. Donors fear that engaging in recovery activities will result in reduced aid effectiveness and a rise in inequality, since the government, instead of providing aid impartially, neutrally, and in proportion to need, tends to favour its supporters. It is necessary to ensure that any aid to Sri Lanka is distributed equitably among those in need, so

as not to exacerbate tensions among different ethnic groups. In March 2008, only Japan, the Netherlands, Norway, and Switzerland attended a UN-sponsored donor meeting on recovery efforts.

Restricted humanitarian access

While the humanitarian community faces increasing difficulties in Sri Lanka because of insecurity and reduced humanitarian space, the difference in approach between the local and the central government is significant. Local government authorities generally accept and recognise the value of humanitarian actions, but the central government does not always facilitate such activities.³⁶ For example, the government restricted access to the main supply routes by road and by sea, preventing essential humanitarian aid from reaching the affected population. As a result of this closure, the Jaffna peninsula is suffering severe shortages and increased prices for food and basic supplies. Humanitarian space also diminished progressively, with limited access to the areas of Jaffna and the Vanni region, and other areas under the LTTE control, leaving the civilian population isolated. Access and presence in the Vanni area is limited to only 12 international organisations, a significant reduction from the 300 that were operating in the LTTE-controlled area after the tsunami.³⁷

Atmosphere of hostility and suspicion

Moreover, suspicion of humanitarian organisations created further barriers to an effective response. As Médecins Sans Frontières (MSF) points out, “this lack of respect for humanitarian aid comes at a time when areas near the front line of fighting have lost nearly all of their medical specialists and hospitals no longer have the human resources to treat the wounded.”³⁸ Humanitarian organisations such as UNICEF were openly accused by government officials of helping the LTTE, and Save the Children Fund and World Vision are presently under parliamentary investigation. The polarised political atmosphere explains these events. Even John Holmes, the UN Under-Secretary General for Humanitarian Affairs, was subjected to criticism when Minister Jeyaraj publicly called him a terrorist, in August 2007, for saying that Sri Lanka had one of the world’s worst safety records for humanitarian workers.³⁹

In this hostile atmosphere, the work of disseminating the mandate of humanitarian organisations is even more important. A Tufts University report suggests that aid agencies may have failed to do so: “... aid agencies were identified as being ineffective in communicating

their mandates. This failure of communication enables local political interests to construct populist interpretations of humanitarianism. The negative local political construction of the humanitarian enterprise was shown to have hampered the delivery and effectiveness of assistance. It has also endangered the lives of aid workers.”⁴⁰ This contributes to the grim picture for realising in practice the fundamental principles of humanitarian aid.

To make matters worse, the questionable effectiveness and transparency of the humanitarian response to the 2004 tsunami has tarnished the reputation of humanitarian action.⁴¹ With regard to GHD Principles 5 and 6, it must be acknowledged that neither public nor private funds in Sri Lanka have always been allocated in proportion to need – evident when one compares the staggering amounts of loosely earmarked money allocated after the tsunami with funding for the renewed conflict in Sri Lanka. This discrepancy is due not only to severe constraints imposed in the field, but also to the fact that some donors, such as the United States, have refrained from funding humanitarian or other programmes in LTTE-controlled areas because the LTTE is considered a terrorist organisation.

In this charged atmosphere, humanitarian workers have been subject to violent attack. The killing of 25 humanitarian workers in 2006 and 22 in 2007 makes Sri Lanka one of the world’s most dangerous places for humanitarian workers. And although the security situation has improved slightly, access and timeliness have continued to suffer. As observed during the HRI mission in February, there were numerous checkpoints in Colombo and throughout the country, reducing humanitarian access and increasing the time necessary to deliver aid. Tamil staff members are often stopped. Further constraints include the closure of Forward Defence Lines, the imposition of curfews, complications in obtaining visas and work permits for NGO workers, and the increasing taxation of relief items. The situation is further complicated by restrictions on the transport of relief items and the lack of fuel in some areas. The combination of these factors prevented humanitarian actors from responding predictably and effectively to basic needs and obtaining access, further shrinking the humanitarian space which had opened up after the Ceasefire Agreement and the tsunami.

Coordination

Led by the UN Humanitarian Coordinator, the Inter-Agency Standing Committee (IASC) Country Team in Sri Lanka acts as the main framework for humanitarian

coordination, with OCHA serving as its secretariat. The IASC Country Team consists of 31 members from the UN, ICRC, and NGO community.⁴² While the IASC works on sectoral coordination, the Consultative Committee on Humanitarian Affairs

(CCHA) focuses on advocacy. In fact, many coordination platforms exist in Sri Lanka, such as the Consortium of Humanitarian Agencies (CHA), a network of NGOs that coordinates with the government, the IASC and the CCHA. Although these mechanisms and bodies have made for better information exchange, they have not improved operational decision making, as most humanitarian organisations continue to operate independently. According to the national humanitarian NGO coordinating body, the only example of effective coordination is the Mine Action Steering Committee. However, local NGOs report that coordination has improved since the December 2004 tsunami, thanks to OCHA leadership, and that the UN and NGOs are working more closely than they did before.

The UN has not formally introduced the cluster approach in Sri Lanka, but has established effective sectoral coordination for food, logistics, nutrition, shelter, water-sanitation, and hygiene, providing a framework for a coordinated response.⁴³ However, OCHA’s approach to coordination, following the shift to conflict-related activities after the tsunami, has been the subject of criticism. Furthermore, OCHA presently faces considerable difficulty, given the discomfort of the government with CHAP’s focus on areas under LTTE control. The agency is also understaffed and there is a clear need for better coordination among the UN agencies.

In addition, the structure of the Sri Lankan government itself created problems for coordination. The central government has more than 80 ministries, some fragmented and covering the same sector, making it difficult for international organisations to know which ones they should coordinate with. For example, UNHCR, the lead agency for IDPs, has a multitude of government counterparts, complicating advocacy, cooperation, and coordination. A mixture of English, Indian, and Sri Lankan organisational and decision-making styles and a lack of a national comprehensive plan further complicate coordination.

Donor perceptions of the quality of coordination vary, some considering it chaotic, with the interests of larger donors prevailing over smaller donors’ attempts to work in a more harmonised way. Other donors considered that donor coordination functioned well, citing the donor group chaired by the EC, which has a reduced

number of key participants, facilitating management and information exchange.⁴⁴

Conclusion

With large swathes of the country back at war, the prospects for an improved humanitarian situation look gloomier than ever. The number of violations of international humanitarian and human rights law has increased dramatically. There have been numerous security incidents involving humanitarian workers. Humanitarian access and space have been compromised, reducing the timeliness, coverage, and effectiveness of assistance, and the protection of civilians.

Promoting humanitarian and human rights law and realising in action the principles governing IDPs are two important aspects of the donor agenda. However, even though 11 OECD/DAC donors⁴⁵ supported the Guiding Principles for Humanitarian and Development Assistance – thus promoting the GHD and general principles of humanitarian action – the parties to the conflict have neither endorsed nor honoured these principles. Donors must promote humanitarian principles through better public education, by offering training for all national stakeholders, and by defining clear implementation mechanisms to put them into practice. Unfortunately, the government’s view that those who do not support the government are supporting the LTTE makes the upholding of independence, neutrality, and impartiality, and preserving humanitarian space in Sri Lanka complex and challenging. Donors must continue to urge all parties to respect humanitarian space and improve access.

Response in proportion to need is fundamental to making the international community accountable to the local population and the general public. The supply-driven response following the tsunami helped to arouse the current suspicion towards humanitarian action in Sri Lanka. Donors must not permit this to recur. Funds should only be released when assistance can be absorbed and does not overlook local capacities.

While funding for relief operations is available, the major gap is in recovery. In line with the GHD *Principles*, donors should fund the recovery-based strategies of humanitarian organisations. This will go far to guaranteeing urgent humanitarian assistance as well as the medium- and long-term assistance so necessary for rebuilding conflict-stricken areas in the north and east, and therefore promoting the development of the entire

country. Nevertheless, some donors are beginning to express concern that continuous humanitarian aid will encourage the parties in the conflict to direct their social welfare budgets towards the war effort and neglect their own responsibility to protect civilians.

Finally, donors must define common ground and action and jointly set common criteria for their involvement in and response to the crisis. This agreement is crucial in order to engage safely in reconstruction and avoid ethnic engineering. Donors must engage in long-term planning, focus on recovery and state-building, and foster democracy. To this end, OECD/DAC donors should enlist the support of other donors such as India, China, Pakistan, and Iran.

Notes

- 1 The HRI team, composed of Daniela Mamone, Hnin Nwe, and Riccardo Polastro visited Sri Lanka in February 2008. The opinions expressed here are those of the author and do not necessarily reflect those of DARA.
- 2 International Crisis Group, 2008.
- 3 Arbeitsgemeinschaft Entwicklungspolitischer Gutachter (AGEG [German Association of Development Consultants]) and the European Commission Humanitarian Office (ECHO), 2005.
- 4 See Sri Lankan Government, 2008.
- 5 International Crisis Group, 2006.
- 6 ICRC, 2008a.
- 7 HRI field interview.
- 8 Sengupta, 2008.
- 9 Human Rights Watch, 2007.
- 10 Amnesty International, 2007.
- 11 ICRC, 2008c.
- 12 Norwegian Refugee Council, 2007.
- 13 Norwegian Refugee Council, 2008. The highest internal displacement in Asia is in India with 600,000, followed by Bangladesh and Myanmar, each with 500,000.
- 14 It is difficult to determine the exact numbers of IDPs, due to the overlap between those displaced by the conflict before and after 2006 and those displaced by the 2004 tsunami.
- 15 UNHCR, 2007.
- 16 Tsunami Evaluation Coalition, 2006.
- 17 OCHA Financial Tracking System, 2008a.
- 18 Sri Lanka is the 8th recipient country of CERF funds. Between March 2006 and June 2008, Sri Lanka received a total of US\$27.8 million, corresponding to 3.29 percent of the total funds disbursed by CERF for the same period.
- 19 CERF, 2007.
- 20 HRI field interview.
- 21 Mathes, 2008.

- 22 The CCHA is chaired by the Ministry of Disaster Management and Human Rights, attended by the Ministry of Defence, the Ministry of Foreign Affairs, and other line ministries, and has additional standing members such as embassies, UNHCR, the Resident Coordinator, and ICRC.
- 23 According to the former US Ambassador to Sri Lanka, "The main US strategic interest in Sri Lanka is in ensuring that a terrorist organisation does not obtain its goals through the use of terror." (Lunstead, 2007.)
- 24 Australia, Canada, the EC, Germany, Japan, Korea, the Netherlands, Norway, Sweden, Switzerland, the UK, and the United States.
- 25 UNDP, 2008.
- 26 World Food Programme, 2008.
- 27 UNHCR, 2006.
- 28 World Food Programme, 2007a.
- 29 ICRC, 2008a.
- 30 World Food Programme, 2007b.
- 31 ICRC, 2008b.
- 32 ICRC, 2008a.
- 33 HRI field interview.
- 34 Ibid.
- 35 Ibid.
- 36 HRI field interview.
- 37 The list of organisations includes ZOA (Netherlands), Forut (Norway-Sweden), Oxfam, Save the Children Fund, World Vision, the Danish Refugee Council, the Norwegian Refugee Council, ASB/Solidar, Médecins Sans Frontières, German Agro Action, UN agencies, and the International Committee of the Red Cross.
- 38 Médecins Sans Frontières, 2007.
- 39 Jayasekera, 2007.
- 40 Feinstein International Center, 2007.
- 41 The Tsunami Evaluation Coalition identified several weaknesses, including rare coordination or sharing of assessments; supply-driven, unsolicited, and inappropriate aid; and limited participation of the affected-population, all of which have combined to create negative perceptions on the part of the local population. See Telford et al., 2006.
- 42 For a full list see: OCHA. Humanitarian Portal – Sri Lanka.
- 43 OCHA, 2008b.
- 44 HRI field interview.
- 45 The 12th donor is the Republic of Korea, which is not on the OECD/DAC.

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