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Protracted Conflict: Protection Challenges for Humanitarian Agencies

Hazel Lang &
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About us

This briefing paper is part of a three-year Australian Research Council (ARC) Linkage research project, 'A Place to Call Home,' based on a partnership between the Australian non-governmental organisation (NGO) Austcare, Griffith University (the Institute for Ethics, Governance and Law and the Key Centre for Ethics, Law, Justice and Governance) and the Australian National University (Asia-Pacific College of Diplomacy).

Austcare is a wholly Australian-based, independent, specialist humanitarian aid and development organisation that is non-profit, non-sectarian and non-political. Austcare's mission is to work with people affected by conflict and natural disaster to build human security. Austcare specialises in emergency response and disaster risk reduction; mine action and the prevention of armed violence; the protection of refugees and internally displaced people; the development of community resilience to the effects of conflict and natural disaster; and conflict-sensitive development.

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Introduction¹

As the UN Security Council's report on the Protection of Civilians in Armed Conflict highlights, 'displacement...continues to be one of the principal features of contemporary conflict and arguably the most significant humanitarian challenge that we face.'² Internally Displaced Persons (IDPs) displaced by conflict remain embedded in the context and elements that caused their displacement. Far from being in a place of safety, IDPs still carry most of the burden of a protracted conflict. Humanitarian agencies seeking to assist and protect civilians affected and displaced by prolonged civil war confront challenges deeply connected with the political problems underpinning the conflict. Sri Lanka is one such case, having experienced 25 years of protracted war and polarisation of society along ethno-political lines. The conflict has generated an ongoing condition of human insecurity, leaving people exposed to risks and threats to their security and livelihoods over a prolonged period. The war has produced long-term, multiple, fluid and hidden forms of displacement and consequences including the breakdown of protection and trust at the community level.

Sri Lanka is today regarded as among the most dangerous places in the world for aid workers.³ Sri Lanka demonstrates many of the archetypal characteristics of a difficult and insecure operational environment characterised by high levels of insecurity for humanitarian workers, a politicised humanitarian and protection agenda, and unpredictable levels of humanitarian access. Humanitarian agencies are compelled to grapple with challenges not so much about whether to be present or engage, but about how to engage most skillfully and effectively in a risky and difficult environment of a prolonged civil war. A politicised context is not the exception but the rule. This research

explored the nature and challenges of the humanitarian operational environment in which internal conflict and displacement is a protracted condition.

Drawing on field interviews in Trincomalee district in the north of Eastern Province, this briefing paper examines humanitarian agency approaches to protection in an insecure and difficult operational setting. Following this introduction, the paper is divided into five main sections:

- international policy discussion on protracted internal displacement situations;
- the intractability of war in Sri Lanka;
- humanitarian approaches to protection;
- the political contours of the conflict in Trincomalee;
- the specific protection challenges confronting humanitarian agencies and the lessons and creative strategies crafted by agencies to negotiate these challenges.

The findings of field research detailed in this report are context specific. But some of the issues and their implications have wider resonance with challenges and lessons for other difficult—politicised, protection crisis—operational environments.

Internal displacement in protracted crises

The issue of ‘protracted IDPs situations’ is a new area of policy discussion and has been the subject of relatively little analysis and action to date.⁴ However, the majority of IDPs in the world today find themselves in a protracted state of limbo. Further, **the problem is a large-scale one with two to three times more IDPs than refugees living in protracted situations.**⁵ Sri Lanka ranks highly as one of the major large-scale, long-term IDP-producing countries globally.⁶

As with refugees, **protection for IDPs ultimately entails ensuring a durable solution to their plight.**⁷ The question of when displacement ends, however, is not always clearly identifiable as cessation is ‘contingent upon a change in the factual situation of displacement.’⁸ The *Guiding Principles on Internal Displacement* deliberately do not contain a cessation clause for this reason, though Principles 28 and 29 do spell out conditions for voluntary return in safety and dignity to place of origin, resettlement and reintegration. ‘Resettlement’, as it is termed by the Guiding Principles, means local integration in the areas in which IDPs initially take refuge or relocation to another part of the country.⁹ In developing a framework for durable solutions for IDPs, the Brookings-Bern Project on Internal Displacement defines a durable solution as ‘no more displacement-specific needs and vulnerabilities,’¹⁰ **although ‘this does not mean that they may not continue to have a need for protection and assistance,** but their needs would be no different from other similarly situated citizens.’¹¹

Because conflict-induced IDPs remain citizens of the country in which they are living, solutions—at least theoretically—

‘must be grounded in State responsibility whether or not the government is part of the cause of the displacement.’¹²

National responsibility for protection and solutions is particularly difficult when the state is unable or unwilling to protect its citizens and is itself a source of human insecurity. In its own interests, a government may claim an end to the existence of IDPs in an effort to create an image of normalcy or to distract international scrutiny¹³ or, as in the case of Sri Lanka, to consolidate military or political objectives.

Protracted internal displacement crises leave people exposed to risks and threats to their security and livelihoods over a prolonged period of time. The achievement of protection and solutions is always politically contingent—**solutions may be elusive for IDPs due to threats, risks and vulnerabilities that continue to persist** following a putative or politically fragile effort to resolve a crisis. Progressive thinking on protracted internal displacement situations¹⁴ therefore suggests a definition focused on the absence or failure of solutions rather than an emphasis on the duration or scale of displacement. This allows for a broader, dynamic definition of protracted displacement¹⁵ in the context of long-running conflict.

War and displacement in Sri Lanka

The parties to Sri Lanka's intractable ethnic conflict over the past 25 years 'have the incurable habit of returning to war.'¹⁶ Jayadeva Uyangoda, a prominent political scientist from the University of Colombo, argues that Sri Lanka's protracted ethnic conflict between the government and the Liberation Tigers of Tamil Eelaam (LTTE) is propelled by two non-negotiable and mutually exclusive state-formation agendas and war machines, one linked to the state reasserting majority Sinhalese nationalism and one linked to the state-seeking minority Tamil nationalism spearheaded by the LTTE.¹⁷

The post-2002 Cease-fire Agreement (CFA) period of 'No War/No Peace' allowed 'both parties to go through the motions of peace talks while exploring military options.'¹⁸ The 2002 CFA between the government and the LTTE completely collapsed in January 2006. In January 2008, the government announced its withdrawal from the Norwegian-brokered ceasefire formalising a commitment to a military path. Writing in February 2008, the International Crisis Group estimates that at least 5,000 people (troops and civilians) have been killed in the two years since the beginning of 2006.¹⁹

Sri Lanka's Ethnic Groups

The three main ethnic groups in Sri Lanka are the **Sinhalese** (mostly Buddhist, 74 per cent), the **Tamils** (mostly Hindu, 18 per cent) and the **Muslims** (Tamil-speaking, 7 per cent). The Tamils comprise two very different communities—the 'Sri Lanka' Tamils (69 per cent) mainly from the north and east and the 'Indian' or 'plantation' Tamils who are descendants of a plantation workforce brought in by the British from Tamil Nadu in southern India in the nineteenth-century. Within Tamil communities there are also divisions along lines of caste, class and regional affiliations (important differences, for example, between the Tamils from the north and the east). Further, political divisions are sharply drawn between LTTE and anti-LTTE Tamil groups.²⁰ The LTTE itself suffered a split in March 2004 when its eastern commander, 'Colonel Karuna', broke away and began collaborating with elements of the Sri Lankan military, moving into areas of former LTTE control. Within the Sinhalese political community divisions are formalised in the parties and the extreme ethnocentric views have played their part to mobilise against devolution of power to the Tamils and the failure of the main parties to agree even on a limited peace agenda.²¹

Historically, Sinhala-Buddhist nationalism was first institutionalised with the Sinhala Only Act in 1956—this exclusionary policy triggered the first inter-ethnic riots since independence, followed by a series of deadly riots in 1958, 1978 and 1981. The 1983 riots ignited full-scale armed conflict.

The Sinhalese-Tamil dimension of the conflict in Sri Lanka has overshadowed the significance of Muslim minority aspirations.²² In the Northern and Eastern provinces, Tamil and Muslim communities have lived side by side, but the ethnic war has radically altered the coexistence between the two communities. This has been due to: the use of violence by Tamil armed groups against Muslim civilians, particularly in Eastern Province; a deliberate policy of Sinhalese political leaders of 'divide and rule' in Eastern Province; and competition for land and economic opportunities between the two communities in conditions of war, particularly where violence led to population displacement.²³ Muslims are 7 to 8 per cent of the national population, but make up more than one-third of the inhabitants of Eastern Province.

The situation descended into open war in 2006, particularly in Eastern Province. The intensification of hostilities led to a serious humanitarian crisis, violations of human rights, and renewed displacement of over 290,000 IDPs.²⁴ Over 15,000 refugees left for South India,²⁵ adding to the existing caseload of over 60,000 in Tamil Nadu. In September 2007, the total number of IDPs stood at 503,000.²⁶ Armed conflict and human rights violations have led to displacement of all communities in Sri Lanka, both in LTTE (termed ‘uncleared’ areas by the government) and government-controlled areas (including so-called ‘cleared’ areas).

The death and displacement toll of the war in Sri Lanka has been extensive. The civil war has killed more than 70,000 people. The displacement crisis has fluctuated with the vicissitudes of war over 25 years, generating between 500,000 and one million IDPs of the total population of some 20 million. Though the war has displaced people from all three communities, it is estimated that Tamils make up around 80 per cent of all IDPs in Sri Lanka, and in the late 1990s the

diaspora of Sri Lankan Tamils in the west was estimated to be some 800,000 people.²⁷

According to the United Nations High Commissioner for Refugees (UNHCR), IDPs in the Sri Lankan context have three in-principle **options for durable solutions**: (1) returning to their place of origin (if and when it is safe); (2) local integration into the host community; or (3) resettlement elsewhere in the country.²⁸ But of course ‘durable solutions’, including sustainable return, are problematic in an intractable conflict. Many who have been returned to their original areas had to flee again due to renewed conflict and insecurity.



IDPs collecting firewood, enroute to Kiliveddi Transit Site (October 2007).
Photograph by the authors.

Humanitarian Protection

Protection is about ‘seeking to assure the safety of civilians from acute harm.’²⁹ Humanitarian protection means engaging directly with an understanding of the behaviour of actors and dynamics of the conflict; it relies on a precise analysis of the specific situation.³⁰

Sri Lanka demonstrates many of the archetypal characteristics of a difficult and insecure protection environment: high levels of insecurity for humanitarian workers, a politicised humanitarian agenda and unpredictable levels of humanitarian access.

In Sri Lanka the *Guiding Principles on Internal Displacement* are violated throughout all phases of displacement. Displacement is used as a tool or even a method of combat by warring parties. Approaches to displacement, protection, and ‘durable solutions’, therefore, need to be understood in relation to the political-military contours of the conflict.

This paper draws on approaches that conceptualise humanitarian protection focused on ‘civilian security.’³¹ The objective of humanitarian protection strategies and activities ‘is to minimize threats of violence, coercion and deprivation, as well as enhancing opportunities to obtain security. The achievement of civilian security, or at least the reduction in insecurity, thus lies at the heart of protection.’³² Primary responsibility for protection rests with the government, though international humanitarian law (IHL) imposes duties on all the parties to the conflict.

Protection and security for civilians involve **three different actors:** the authorities (governments, authorities and other bodies in control of a given territory, including armed groups and international forces); affected individuals and communities; and humanitarian agencies. The ICRC-devised egg model³³ emphasises diversity and cooperation in the protection system, and how agencies can complement one another in their work with authorities, people at risk, civil society and each other. As the protection manual by Slim and Bonwick notes,³⁴ **programming diversity and cooperation can be a ‘protection multiplier’:**

“A concerted effort by all agencies to use their different mandates, expertise, resources and networks to meet commonly identified protection needs and desired outcomes for threatened populations can dramatically increase the likelihood of protection being realized. Complementarity does not mean every agency doing the same thing. Instead, it involves each agency doing what it does best and what it is best placed to do.”

The limits of humanitarian agencies as protection actors are of course widely recognised, as noted by the ICRC: ‘humanitarian endeavors...can never be a substitute for political action.’³⁵

Humanitarian Protection

Humanitarian agencies can support affected populations to avoid and resist threats and risks through:

- **Humanitarian presence:** witnessing, accompaniment and monitoring consciously used to inhibit abusive behaviour.³⁶ The Centre for Humanitarian Dialogue’s ‘Proactive Presence’ guide identifies three ways that field presence contributes to protection of civilians: **deterrence** (constraining abusers), **encouragement** (supporting people to protect themselves) and **influence** (supporting reformers and changing societal attitudes).³⁷
- **Protection-focused programming:** (assessing, designing, implementing, and monitoring programs) takes two main forms: first, activities or interventions aimed at **specific protection objectives** or outcomes (specialist, dedicated protection programming); and, second, **‘mainstreaming’** or integrating protection into humanitarian programs in order to minimise civilian risk (protection-sensitive assistance to build a protective environment).³⁸
- **Protection through advocacy:** influencing responsible authorities (government, as well as *de facto* authorities) to ensure respect for norms, rights and duties of international law.

Research Method

Research for this report is part of a larger action research project on protracted displacement in Asia. The primary purpose of action research is to develop practical knowledge and enable organisations to capture lessons learnt. Action research engages a range of stakeholders—academics, policy makers and practitioners—to facilitate co-learning and ownership of research processes with the potential end users of the research. It encourages critical reflection on the part of practitioners whilst ensuring research communities benefit from practitioner insights.

Exploring operational perspectives on the challenges of humanitarian protection in politically sensitive and militarised environments is necessary to ensure that research on protracted IDP situations reflects ground realities.

We undertook field work in Trincomalee district of Eastern Province in March-April and October 2007. The purpose of our trips was to deepen our understanding of the nature of the operational environment and the protection challenges for humanitarian agencies working in Trincomalee. Given this environment, the focus of field interviews centred on the following key questions:

- What does protection mean to agencies?
- What are the challenges and obstacles in undertaking protection work?
- What creative strategies have agencies developed to negotiate these challenges?
- What are the lessons learnt and how are they used to inform current approaches and programs?

We conducted detailed semi-structured interviews with individuals from agencies across all levels—with a sample of UN agencies, international NGOs (INGOs), national and local NGOs and community-based organisations (CBOs).³⁹ To further our understanding of the operational context, we travelled to key areas of return (Eachchilampattu and Muttur), visited displacement sites, and met with Government officials and community leaders in the field.

We have broadly categorised agencies as: (1) international agencies encompassing UN agencies, the International Committee for the Red Cross (ICRC)⁴⁰ and INGOs. These include **specialist or protection mandated**⁴¹ and **non-protection mandated** agencies and (2) local agencies encompassing local NGOs and CBOs.⁴²

Protracted conflict in Trincomalee

At face value, the scale and frequency of displacement in Trincomalee—situated in the northern most part of the Eastern Province—has been comparatively less than that which occurred in Northern Sri Lanka.⁴³ However, **the Eastern Province has been an unstable and continually contested area throughout the war** and is considered pivotal to Sri Lanka's future. The district is of strategic importance to the Sri Lankan government and the LTTE. Trincomalee harbour is the world's second deepest natural harbour, of geo-political and economic importance to both parties. It is also of particular nationalistic importance to the LTTE, which envisages Trincomalee as the capital of Tamil Eelaam. **The strategic importance of the district bears significant implications for the insecurity of civilians in a context of intractable conflict.**

Over the past 25 years, Trincomalee has experienced a process of 'mixing' and 'unmixing' of people.⁴⁴ The multi-ethnic composition of Trincomalee is unique in Sri Lanka. Unlike the mono-ethnic north, today, Trincomalee has a fairly equal proportion of Muslims, Sinhalese and Tamils,⁴⁵ following decades of demographic manipulation. More recently, the introduction of 'buffer zones' in post-tsunami 2005, a 'Special Economic Zone' in 2007 and the High Security Zones, has led to claims of Sinhalese 'colonisation' in government land use, development and settlement policy.⁴⁶

Trincomalee has experienced a high level of political violence that is expressed in suspicion and mistrust between different ethnic groups of the population.⁴⁷ The defection of 'Colonel Karuna' from the LTTE in March 2004⁴⁸ generated intra-ethnic tensions felt at the community level, and the renewed war in 2006 exacerbated tensions between Eastern Tamils and Muslims.⁴⁹

Trincomalee district has undergone waves of displacement since the 1980s, and again in 2006 and 2007 became a main site of displacement in Sri Lanka. In April 2006, a bombing in Trincomalee town triggered communal violence and displacement; later in April mass displacement in LTTE-controlled areas in Muttur and Eachchilampattu divisions resulted from government military operations, especially around Sampur. In August 2006, the government launched a military offensive in response to the LTTE shutting the sluice gates in the Serunwara area. The LTTE launched a counter offensive, seizing control over parts of Muttur, provoking massive retaliation by government forces. The civilian population of Muttur and its locality fled en masse within the district and into neighbouring Batticaloa.⁵⁰

In July 2007, the government officially declared the Eastern Province under its control ('cleared' of the LTTE) and ready for development but influential agencies still consider the region a conflict area. Political underpinnings of Sri Lanka's conflict ensure that peace remains a distant prospect overall. In the context of live, unresolved conflict, people have experienced repeated displacement for over two decades. Multiple cycles of displacement are entrenched in a state of impermanency and insecurity.⁵¹ **Attention therefore needs to be directed to understanding the sources of civilian insecurity and the most effective responses available to support protection and human security at the community level.**

The conflict-related displacement landscape is marked by forced displacement, restrictions on freedom of movement and forced returns and relocations.⁵² Protection concerns also include extreme human rights abuses such as disappearances, abductions, extra-judicial killings, forced

recruitment (including of children), arrests and detentions, ‘round-ups’ to identify individuals by ‘masked men’, extortion and wider insecurities connected to the loss of livelihoods and the impacts of militarisation. Risks, threats and vulnerabilities are pervasive and some agencies acknowledge that ‘the environment is such that we [agencies] can’t avoid protection [in our work].’⁵³

‘We don’t dare to hope’ – human insecurity

Civilians are not collateral damage in this war, but are often deliberately targeted as part of the military strategy of parties to the conflict (state, armed non-state and paramilitary actors).

The scale and intensity of military operations in 2006, including aerial bombardments and shelling (use of ‘multi-barrels’) targeting civilian areas, has compounded returnees’ sense of insecurity in the return phase.

The shift in military-political balance to the government in return areas formerly controlled by the LTTE has also shaped civilians’ perceptions of their ability to flee: ‘we are surrounded in this place.’⁵⁴

Also, as noted by the ICRC,⁵⁵ military structures (such as army camps and buffer zones) in Sri Lanka are in close proximity to civilians. The militarisation of return areas as well as past experiences of retaliatory attacks undermines prospects for sustainable return, ‘when we get back [return] the military will look at us. If something happens the military will shoot.’⁵⁶ People’s sense of security is also influenced by specific local factors such as the behaviour of local military authorities, the proximity of their homes to contested

areas (for example, jungle, seacoast, etc.), and events occurring in neighbouring villages.

People expressed a **pervasive sense of insecurity in their lives and prospects for their future**: ‘we don’t have hope [for the security of our future] at all. We don’t dare to develop hope.’⁵⁷ Active hostilities may have ceased for the time-being and people have returned home, but people do not feel secure. They are not sure when the conflict might re-ignite and when they will need to run again. An imminent sense of a renewed conflict marks their return.

For those who have returned, they prefer to be back in their own villages but noted that political divisions and mistrust are being played out at the community level – ‘before one and two were there, now there is one, two, three and four.’⁵⁸ Political factionalism is reproducing threats and vulnerabilities. **Political factions** in the Tamil community, for example, have **led to a breakdown in the collective coping mechanisms used by communities in the past**: [now] ‘We can’t even trust the next door neighbour. We don’t know who’s coming and for what reason...’⁵⁹ Political violence is played out at the personal and family level, such as with abductions out of personal vengeance.⁶⁰ Returnees from the 2006 conflict expressed renewed and intensified forms of suspicion, mistrust and divisions resulting from their experiences of displacement and ongoing violence.⁶¹ The present political violence is described by a local commentator as the most serious she has known. The next section explores implications for agencies working in this intractable conflict environment, with multiple cycles of displacement and continuing insecurity.



IDP children from Eachchilampattu, early days at Killiveddi Transit Site (March 2007). Photograph by the authors.

Protection challenges for agencies

In Eastern Sri Lanka, humanitarian protection confronts the highly militarised, politicised arena and the denial of access in some areas. It is an environment in which all political actors (state, non-state, paramilitary) are perpetrators of violence and insecurity and international principles and rules for the protection of conflict-affected civilians and IDPs are not respected.

Agencies therefore confront ‘strategic risks’⁶² and operational dilemmas in their protection work. In general, agencies working in the context of *internal displacement* are often constrained by the policies, actions or inactions of governments. Governments have the primary responsibility for the protection of IDPs and affected civilians, but too frequently they fail to protect and are sources of insecurity. International Humanitarian Law obliges all parties to distinguish between the civilian population and combatants at all times. In Sri Lanka, the failure of the government to protect civilians constrains humanitarian actors working in the midst of the conflict-affected environment.

The key operational challenges for humanitarian agencies relate to negotiating the **politically sensitive relationships with the government**, dealing with a **militarised and deeply divided environment**, and **internal factors** influencing how agencies approach their work. This section draws together agencies’ perspectives on these challenges and reflects on key **lessons**.

Working with the Government

International agencies are primarily concerned with the conditions under which the war is played out, though some agencies reflected on how the provision of humanitarian assistance has been used to propagate political agendas. Some

international agencies have become concerned about the government’s exploitation of the ‘No War/No Peace’ period for the militarisation of ‘liberated’ regions and the securitization of development. Both governmental objectives were pursued by instigating rapid returns that did not meet internationally agreed benchmarks for conditions and processes of return.

Agencies **risk instrumentalisation of assistance by government for political purposes**. Working with the government can present agencies with the dilemma of how to do their work without ‘risk of implementing a plan that is not a humanitarian plan.’⁶³ Agencies identified the need to avoid the risk of incorporating assistance into a plan that legitimises forced return or that contributes to neglect or abuse of a population.

One area is the use of return (termed ‘resettlement’ by the Sri Lankan government) by the military for political purposes. According to some international agencies rapid (mass) return occurred in order to consolidate the government’s military campaign by bringing back civilians into an area at risk of incursions by the LTTE. Rather than an agenda for sustainable return, ‘to the government, return means surveillance and [military] security.’⁶⁴ Return of the people enables the government to more tightly control and scrutinise the population through screening and identification of people formerly living in LTTE areas.⁶⁵ Agencies grapple with how to engage with militarised return.⁶⁶ As another international agency head put it, ‘on the one hand we are working with the state as a real partner but at the end of the day when you need real commitment they have their own political and military agenda.’⁶⁷

Agencies noted political interference in their humanitarian work plans, described by one

observer as ‘*à la carte humanitarianism*’⁶⁸ or a situation in which the government picks and chooses activities to support its own agenda. For example, agencies’ access has improved in resettlement areas in Eachchilampattu where the government is keen to reconstruct the area.⁶⁹ Agencies reported that the high regulation of agencies impinges on their independence.⁷⁰

Agencies are contending with a politically confronting environment where **protection work is considered highly sensitive** because it is negatively perceived as challenging the agendas of political and military actors. International and especially local agencies noted that ‘you can’t be outspoken on protection’. It is not possible to use the ‘P-word’ (protection) openly. Or as one veteran of a CBO responded: ‘Your subject of protection is a dangerous one.’⁷¹ Protection work can risk jeopardising agencies’ relationships with the authorities due to the uncomfortable exposure of the government’s failure to protect its people and the political reality underpinning the causes of protection problems. Agencies in this environment need to consider the political consequences of undertaking protection work and risk of ‘protection backlash’ (provoking the ire of the authorities).⁷²

The political sensitivities of the environment mean that **some agencies compromise their principles**⁷³ in order to remain operational. **Agencies find themselves balancing the need to stay operational with negotiating the political agenda of the government.** Further, some international agencies may not take a strong principled position on situations from the outset of engagement leading to **erosion of humanitarian principles and a breakdown of collective action of agencies.** Despite the endorsement of the *Saving Lives Together* framework (2006),⁷⁴ collective action and solidarity remains limited.⁷⁵ Agencies will lobby for parties to adhere to humanitarian principles but proceed to

work within the prevailing conditions.⁷⁶ Failure of principled action inadvertently contributes to legitimising actions that contravene the *Guiding Principles on Internal Displacement* and impacts on the efficacy of common protection goals and collective action.

Coordination with the government has been problematic. Agencies must deal with a centralised administration dominated by military interests.⁷⁷ Agencies are constrained in their planning by inconsistent government decision-making processes, including a lack of consultation regarding a consolidated resettlement and rehabilitation plan. For many humanitarian agencies coordination with civil administrators charged with military objectives is problematic as it can result in the compromise of principles of independence. Further, agencies contend with different models of the state in different regions and sub-regions. Civil administration decisions are connected to the larger military campaigns of Sri Lankan Army and LTTE. For example, negotiations at the local level of District Secretary (DS) can boomerang at the higher level of the Government Agent (GA) as military priorities take precedence.⁷⁸ This endemic feature of the protection environment creates certain requirements in agencies’ initial engagement to understand power structures and to set objectives.

Agencies noted the government may perceive their work as **biased in favour of one population** (notably the Tamils, whom have been disproportionately affected by displacement). This apparent bias can result in the erosion of perceived neutrality in the eyes of the government: ‘to assist people is a political statement.’⁷⁹ There are entrenched perceptions held by Sinhalese nationalists, the government and armed forces of NGOs as ‘criminals’, spoilers, wrong doers.⁸⁰

Protection work also **exposes local staff to risks of threats** from various armed actors (such as the Tameleela Makkal Viduthalai Puligal, TMVP, the political arm of the

Karuna faction aligned closely with the government) that perceive their involvement as biased or interfering.⁸¹ There is reluctance on the part of local agencies to work on protection-related issues due to concern for the security of their staff. Similarly, international agencies weigh decisions against the potential cost to staff, programs and communities.

The wider operational environment

Agencies are limited in their capability to contribute to the protection and security of conflict-affected IDPs and civilians due to **features inherent in the militarised environment, including a culture of impunity, that impact access, presence and monitoring and reporting.** Agencies are constrained by limited access determined by government as well as their own security guidelines (which, for example, require them to return to base by sunset). Within UN agencies, for example, it is a requirement that local staff be accompanied by international counterparts on fieldwork, placing a strain on resources available for field presence. Local agencies and communities are calling for presence,⁸² yet international agencies are constrained by the dangers and risks of the operational environment (in addition to their own mandates) to maintain humanitarian presence in affected areas.⁸³ For local agencies and staff, access and security conditions are also constrained by ethnic divisions and mistrust impacting on relations between agency staff and communities.

Precise reporting and referrals are also limited as the process presents risks for victims and witnesses. People fear to speak out and report on protection incidents due to the risks of retaliation by parties identified as perpetrators. CBOs are also reluctant to report protection incidents because of lack of witness protection and risk of revenge and intimidation of their own staff. This limits specific case reporting.

Humanitarian agencies have put together a referral mechanism for protection cases in Trincomalee which details how agencies can refer protection cases that they come across in their daily work, and explains the mandates of protection agencies. However, in practice timely action necessary for effective reporting and follow up of cases is not always delivered. Agencies are often unable to verify information due to the communities' fears and/or access to cooperative authorities to cross check details of cases. Further, some local NGOs and CBOs are insufficiently informed of international agencies' mandates, scope of action and the establishment of a referral mechanism. Lack of communication and clarity between international and local humanitarian agencies also hampers local agencies from utilising the referral system.

Internal factors

Agencies have different understandings of humanitarian protection and cooperation. 'Protection' in the context of Trincomalee is largely understood in terms of basic physical security and the need to ensure safety. Particularly for local agencies, the protection agenda is limited to a concern with physical security, that is, 'hardcore' protection issues of abductions and killings. For local agencies there is an uncertainty about the scope of how internationals protect civilians, and what the international protection agenda is. Some non-mandated protection agencies work well with mandated agencies (for example, utilising the referral mechanism) and approach their work with a protection-sensitive orientation. Other non-mandated agencies understand protection as requiring a specialist mandate: 'we are not a protection agency.'⁸⁴ Rather than working with a wider understanding of protection-sensitive response and programming, protection is seen as the responsibility of particular specialist protection agencies.

Most **non-mandated agencies do not have systematic approaches to protection-sensitive programming** but depend on local staff to identify protection issues in their program design and the varying capacity of international staff to consider security issues in program development. Largely, non-mandated agencies do not view technical interventions as an opportunity to provide protection nor approach protection as intrinsic to assistance.

Uncooperative relationships between the government and NGOs have hampered NGOs' influence. Non-mandated agencies have **limited bargaining power** and frequently no political leverage or relevance to the authorities. Non-mandated agencies rely heavily on protection-mandated agencies (in the form of the ICRC, the UN and the former Sri Lanka Monitoring Mission) to access government authorities and advocate on issues. Non-mandated agencies are reliant on the lead agency (UNHCR) to take a principled stance as an authoritative voice and representative of humanitarian interests.

Agencies noted **internal constraints of donor clocks, headquarter clocks and support** as constraining flexibility, creativity and responsiveness. The pulsating nature of the war—alternating flares between the North and East—means agencies' resources and high-capacity personnel are often reallocated to the new emergency areas, reducing investment in and commitment to the ongoing protection crisis in comparatively 'stabilised' areas. In some cases, non-mandated protection agencies expressed a lack of headquarter support for protection activities due to the perception that protection advocacy is too politically risky in terms of jeopardising established relationships at the Colombo level. Mandated agencies noted that they are reliant on Colombo to be a vocal advocate of their recommendations.

Cooperation and coordination between international agencies depends heavily on personalities. Protection agendas of non-mandated agencies are frequently driven by personalities and the confidence and knowledge of individuals on the ground. Ensuring that agencies sustain coordinated engagement is an 'ongoing battle.'⁸⁵ Coordination and engagement with local agencies has been limited due to constraints of a weak civil society, security risks to nationals posed in a politicised environment and the limited investment of international agencies in utilisation and building of local capacity.

International agencies responding to the tsunami and development actors were not prepared or skilled for operating in a complex, conflict-affected environment of intractable war: 'here, there is a lack of interest in protection. People start thinking things are normal when they are not.'⁸⁶ Or as another agency put it quite bluntly '...considering what's going on, there are not many agencies really getting it.'⁸⁷

Lessons and creative strategies

Protection strategies to incorporate civilian risk and resist threats to the security of affected populations relate to all areas of protection work: presence, protection-sensitive programming and advocacy. Responses encompass the immediate and long-term complementary spheres of responsive, remedial and environment-building action contained in the 'egg model.'⁸⁸ Whilst there are different agencies with different organisational structures and mandates it is useful to distil lessons out of the various perspectives. Overwhelmingly, agencies reflected on the need to develop humanitarian action informed by a political understanding of the context and consistently take a principled and protection-sensitive approach.

For non-mandated agencies, it is particularly important to **maintain a low profile and**

pragmatic approach to protection work.

Agencies have had to avoid publicly using the ‘protection’ label but rather focus on building a protection-sensitive orientation into their work. Protection is as much an orientation as a set of activities. Long-term engagement with Sri Lanka has enabled agencies to utilise entry points (such as activities focused on income generation, women, children) that are perceived as less politically confronting. As the local conflict dynamics are in flux, agencies need to remain vigilant regarding how communities and the authorities perceive their protection work.

‘Stick to principles!’⁸⁹ Agencies have principles and privileges and they need to use them. An important lesson revealed was that agencies should consistently **maintain transparent and principled action from the outset of their engagement with the authorities.** The failure of principled action inadvertently contributes to legitimising actions that contravene the *Guiding Principles on Internal Displacement* and the breakdown of collective action of agencies. For the protection-mandated agencies, it is important to work transparently and confidently according to the principles of the agency and to ensure the government is held accountable for its responsibilities. This applies to the larger and UN protection-mandated agencies in particular, as these are the agencies with access and influence to authorities.

Good protection practice requires **effective communication and coordination between protection actors** to enable a ‘protection multiplier’ effect. In Trincomalee, international agencies are utilising the referral system for protection cases (reporting of abductions, killings, etc.) to benefit from mandated agencies’ access and influence with relevant authorities. Agencies have been limited in the extent to which they can counter the risk of instrumentalising assistance for political purposes. However, there has been a concerted effort to build productive

relationships with high-level administrators (especially the powerful Government Agent) which has enabled agencies greater negotiation space and the possibility for influence. For example, consultations with the Government Agent on humanitarian plans prior to coordination meetings between government and humanitarian agencies have improved key government-agency relationships. Agencies have addressed government perceptions of bias by actively communicating with relevant authorities to demonstrate commitment to a balanced approach with all three communities. Agencies are also engaging with IDPs in conjunction with host communities to ensure that agencies do not exacerbate mistrust between and among communities.

Strengthening community protection capacity is particularly important in an environment in which ethnic and political divisions are manifesting at the community level and are breaking down traditional community and collective coping mechanisms and the capacity of civilians to protect themselves. There is a vital space for protection and building community resilience at a very local level. Creating shared mechanisms and interests between and within communities are needed to address these divides. International agencies are realising the inherent value of engaging at the local community level and utilising community capital as an entry point for engagement.

Local agencies are calling for international agencies to **support the mobilisation and capacity-building of local agencies,** and to pursue **long-term environment building approaches.** In the current phase of return and rehabilitation in the East, local agencies see an urgent need for international agencies to support local agencies to build community trust. Local agencies highlighted the challenge of understanding enduring violence in the Sri Lankan context. As one senior CBO director observed, international agencies do not always fully grasp the destabilising impact of political

and even spirals of personalised violence on community relations.⁹⁰ The return and reconstruction phase enables packaging of programs in economic objectives, such as creating joint or mixed livelihood programs between different communities as a protection mechanism to support the prevention of renewed inter-ethnic and intra-ethnic tensions. Insights from local agencies suggest that protection-sensitive programming should closely consider linkages with peacebuilding in a context of protracted conflict.

Local agencies reported that international agencies must communicate clearly their role and limitations in order to ensure accurate expectations and facilitate greater collaboration between international and local protection actors. A commitment to capacity building of local authorities and humanitarian agencies is essential. **Local agencies want stronger and genuine**

partnerships: ‘we expect mutual partners; not only funds, not only an outsider observing everything.’⁹¹

Protection needs to be analysed at a village level. Agencies are realising that taking a longer-term commitment to particular villages rather than pursuing available spaces (such as priority areas for the government) for intervention enables agencies to more effectively understand the threats, vulnerabilities and capacities of communities to build locally resonant approaches. **Partnership with CBOs ensures genuine commitment to the community.** As one INGO manager put it, ‘they [CBOs] are not part of the local NGO industry game, they will not leave.’⁹² However, international agencies need to remain aware of the potential politicisation of local agencies in the ethnicised and politically fractured environment.

Conclusion

Since 1983, displacement in Sri Lanka has been embedded in intractable conflict. Many IDPs have experienced prolonged, repeated and ongoing cycles of displacement whilst some IDPs have stayed in the same place for more than 10 years. Durable solutions, especially sustainable return, are problematic in this context. Many who have returned to their original areas have had to flee again due to renewed conflict and a precarious security and protection environment. Internal displacement in Sri Lanka exists in the larger protracted condition of insecurity and this means that agencies must understand the various discrete phases of renewed displacement against a backdrop of the longer-term, unresolved nature of the conflict that continues to reproduce insecurities.

Humanitarian agencies must contend with how to approach internal displacement in difficult and insecure environments of protracted crises. Humanitarian agencies seeking to assist IDPs have to grapple with the policies, actions or inactions of government that has primary responsibility for protection of IDPs but often fails to protect or are sources of insecurity. There are unique challenges for humanitarian agencies in protecting IDPs in contexts characterised by the politicisation of humanitarian protection, fluctuating access and insecure environments for aid workers. These operational realities need to be taken into account when developing approaches to protracted conflict and IDP situations.

While agencies cannot be a substitute for political action to resolve protracted displacement, they can pay particular attention to how they approach their work that is informed with an understanding of the threats, risks and vulnerabilities confronting conflict-affected communities. This requires analysing the security and political dimensions of protection problems within the operational environment.

Key messages

Reflections by agencies on the challenges and lessons encompass:

- **Transparent and principled approach**

Humanitarian agencies identified the need to consistently take a transparent and principled approach. The political sensitivities of the environment can result in some agencies compromising their principles in order to stay operational. Failure of principled action can lead to the erosion of humanitarian principles and breakdown of collective action and common protection goals of agencies.

Non-mandated protection agencies have limited bargaining power and leverage to advocate on protection issues with authorities. Non-mandated agencies therefore rely on protection-mandated agencies to access authorities and take a principled stance. Local agencies, limited in influence with government and especially constrained by security conditions, also depend on international agencies to consistently represent humanitarian interests and hold authorities accountable for protection of civilians.

- **Low-profile and pragmatic**

Agencies contend with a politically confronting environment where protection is considered highly sensitive. For local and non-mandated agencies it is important to build a protection-sensitive orientation into their programming and utilise entry points perceived as less politically contentious.

- **Supporting local protection capacity**

There is a vital space for protection at the local level. Strengthening community protection capacity and resilience is particularly important in an environment where ethnic and political divisions are impacting on the efficacy of civilians to protect themselves. A locally-contextualised understanding of protection problems by international agencies, taking into consideration changes over time to the dynamics within and across different communities, allow for locally resonant approaches. Local agencies expressed the need for genuine and lasting partnerships between international and local agencies to ensure a long-term commitment to the community.

Endnotes

- 1 An academic version of these research results is contained in a forthcoming book chapter in Adelman, H. (ed) *No Place to Call Home: Addressing Protracted Displacement in Asia* (Ashgate: London). The research is also presented as an article in the *Norwegian Journal of Geography*, special edition on Sri Lanka (forthcoming 2008).
- 2 UN Security Council (2007), *Report of the Secretary General on the Protection of Civilians in Armed Conflict*, S/2007/643, 28 October, p. 2.
- 3 Sir John Holmes, UN Secretary General for Humanitarian Affairs, described the gunning down on 6 August 2006 of 17 Action Contre la Faime (ACF) employees in Muttur town, Trincomalee District, as the 'single worst crime committed against humanitarian workers in recent history'. IRIN (2007), 'Sri Lanka, UN Urges Investigations of Deaths and More Security for Aid Workers', UN Office for the Coordination of Humanitarian Affairs, 7 August. <http://irinnews.org/PrintReport.aspx?ReportId=73621> (accessed 7 December 2007).
- 4 Brookings-Bern Project on Internal Displacement (2007), 'Expert Seminar on Protracted IDP Situations,' Geneva, 21-22 June.
- 5 Brookings-Bern, 'Expert Seminar,' pp. 1, 39.
- 6 Centre for Policy Alternatives (2007), *Policy Brief on Humanitarian Issues*, Colombo, p. 4.
- 7 Brookings-Bern, 'Expert Seminar,' p. 1.
- 8 Brookings-Bern, 'Expert Seminar,' p. 17.
- 9 Inter-Agency Standing Committee (IASC) (2007b), 'Benchmarks for Durable Solutions for Internally Displaced Persons', Washington DC, p. 2.
- 10 Brookings-Bern, 'Expert Seminar,' p. 14.
- 11 Brookings-Bern, 'Expert Seminar,' p. 8.
- 12 Brookings-Bern, 'Expert Seminar,' p. 7.
- 13 ISAC, 'Benchmarks for Durable Solutions,' p.1.
- 14 See Brookings-Bern, 'Expert Seminar.'
- 15 The standard definition of a protracted refugee situation used by the UNHCR – as 'one in which refugees find themselves in a long-lasting and intractable state of limbo,' drawing on the basic measure of refugee populations of 25,000 and greater who have been exiled for five years or more – does not resonate in most protracted IDP contexts (see UNHCR (2000), *The State of the World's Refugees*, New York, Oxford University Press, p. 106.) However, Loescher and Milner's critique of this definition with respect to refugees – ie., protracted refugee situations 'include chronic, unresolved and recurring refugee problems, not only static refugee populations' – also applies in cases of protracted internal displacement. This definition allows for an understanding of protracted displacement to take account of repeated cycles of internal displacement. Loescher, Gil and James Milner (2005), 'Protracted Refugee Situations: Domestic and International Security Implications', *Aldelphi Paper 375*, London, International Institute for Strategic Studies, p. 14.
- 16 Uyangoda, Jayadeva (2007), *Ethnic Conflict in Sri Lanka: Changing Dynamics*, Policy Studies 32, Washington, East-West Centre, p. 4.
- 17 Uyangoda, *Ethnic Conflict in Sri Lanka*, p. 45.
- 18 Centre for Policy Alternatives (2006), *War, Peace and Governance in Sri Lanka: Overview and Trends 2006*, Colombo, pp. 11-12.
- 19 International Crisis Group (2008), *Sri Lanka's Return to War: Limiting the Damage*, Crisis Group Asia Report No. 146, 20 February, p. 9.
- 20 It is well known that 'LTTE attempts to coopt or physically liquidate its opponents within the Tamil community date back to the 1980s.' Many Tamils, however, have little sympathy for militant groups, government or anti-government (International Crisis Group (ICG), 2006), *Sri Lanka: The Failure of the Peace Process*, Crisis Group Asia Report No. 124, 28 November, pp. 13-14).
- 21 DeVotta, Neil (2007), *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*, Policy Studies 40, Washington, East-West Centre, p. 24.
- 22 Uyangoda, *Ethnic Conflict in Sri Lanka*, pp. 26-27.
- 23 Uyangoda, *Ethnic Conflict in Sri Lanka*, p.27.
- 24 International Crisis Group (ICG, 2007a), *Sri Lanka's Human Rights Crisis*, Crisis Group Asia Report No. 135, 14 June 2007, pp. 7-8.
- 25 Centre for Policy Alternatives (2007), *Policy Brief on Humanitarian Issues*, p. 4.
- 26 UNHCR (2007), Global Appeal 2008-2009, Sri Lanka <http://www.unhcr.org/publ/PUBL/474ac8dc0.pdf>, accessed 21 February 2008, p. 237.
- 27 Schrijvers, Joke (1999), 'Fighters, Victims and Survivors: Constructions of Ethnicity, Gender and Refugeeeness among Tamils in Sri Lanka', *Journal of Refugee Studies*, vol. 12: 3, p. 309.
- 28 UNHCR (2006), Internally Displaced Persons (IDPs) Working Group, 2006 Workplan and Supporting Documents (unpublished, Colombo, May), p. 11.
- 29 O'Callaghan, Sorcha and Pantuliano, Sara (2007), *Protective Action: Incorporating Civilian Protection into Humanitarian Response*. HPG Policy Brief 29, Humanitarian Policy Group (HPG), London, December, p. 1.
- 30 Mahony, Liam (2006) *Proactive Presence: Field Strategies for Civilian Protection*, Geneva, Centre for Humanitarian Dialogue, p. 1.

- 31 Darcy, James (2007) 'Political and Humanitarian Perspectives on the Protection of Civilians', paper prepared for HPG Geneva Roundtable on Protection, 22 January 2007. Available at http://www.odi.org.uk/hpg/meetings/protection_conceptsnote.pdf (accessed 24 September 2007).
- 32 Pantuliano, Sara and Sorcha O'Callaghan (2006), *The "Protection Crisis": A Review of Field-based Strategies for Humanitarian Protection in Darfur*, Humanitarian Policy Group (HPG) Discussion Paper, December, p. 6.
- 33 The 'egg model' spans three interdependent, complementary spheres of action: **responsive** (immediate or urgent activities aimed to stop, prevent or alleviate the immediate/worst effects of the abuses); **remedial** (restorative action to assist people to recover while they live with the effects of abuses); and **environment-building** (supporting political, social, cultural and institutional norms that prevent or limit violations or abuse). See Slim, Hugo and Andrew Bonwick (2005), *Protection. An ALNAP Guide for Humanitarian Agencies, Active Learning Network for Accountability and Performance in Humanitarian Action* (ALNAP), p. 42.
- 34 Slim and Bonwick, *Protection. An ALNAP Guide for Humanitarian Agencies*, pp. 44-45.
- 35 Aeschlimann, Alain (2005), 'Protection of IDPs: An ICRC View', *Forced Migration Review*, Supplement, October, p. 25.
- 36 Slim and Bonwick, *Protection: An ALNAP Guide for Humanitarian Agencies*, p. 91.
- 37 Mahony, Liam (2006) *Proactive Presence, Field Strategies for Civilian Protection*, Geneva, Centre for Humanitarian Dialogue.
- 38 The Humanitarian Policy Group (HPG) identifies a third level for incorporating protection into humanitarian response — 'protective action', meaning activities that have both assistance and protection objectives, or are a means through which to address protection problems through assistance. O'Callaghan and Pantuliano (2007), *Protective Action*, p. 3.
- 39 In order to protect the confidentiality and security of interviewees, we have not attributed quotes and statements directly to individuals or their organisations.
- 40 The ICRC's mission – defined in the 1949 Geneva Conventions and their 1977 Additional Protocols and in the 1986 Statutes of the International Movement of the Red Cross and Red Crescent – is 'to protect the lives and dignity of victims of war and internal violence and to provide them with assistance' and 'to prevent human suffering by promoting and strengthening humanitarian law and universal humanitarian principles.' Protection is therefore of primary concern to the International Committee of the Red Cross (ICRC). However, ICRC is under no obligation to coordinate with other agencies.
- 41 Agencies charged by states to lead on a particular aspect of humanitarian protection.
- 42 NGOs are registered through a national secretariat in Sri Lanka.
- 43 The conflict zone in Sri Lanka is customarily divided into the three areas: the Vanni – mostly controlled by the LTTE; Jaffna, and the border areas south of Vanni – areas which the government has regained and which it calls 'cleared' areas; and Trincomalee, Batticaloa and Ampara in the East which have been declared 'cleared' by the government since July 2007.
- 44 Rajasingham-Senanayake, D (2002) 'Identity on the Borderline: Modernity, New Ethnicities and the Unmaking of Multiculturalism in Sri Lanka' in Silva, N. (ed.) *The Hybrid Island*. (London, Zed Books), p. 60.
- 45 A reason for the unique ethnic composition was the state-sponsored irrigation, and Sinhalese settlement schemes that began in the 1940s. Previously the east coast was a region composed of two historically interlinked, but contentious communities, the Tamils and the Muslims. Both Tamil-speaking they have a long history of conflict and co-existence. See Peebles, P (1990) 'Colonisation and Ethnic Conflict in the Dry Zone of Sri Lanka' in *The Journal of Asian Studies* 49, 1: 30-55; McGilvray, D (2001) 'Tamil and Muslim Identities in the East' in *A History of Ethnic Conflict in Sri Lanka, Reconciliation, Reinterpretation & Reconciliation* Marga Monograph Series No. 24 (Colombo, Marga Institute).
- 46 See further Hyndman, J. (2007), 'The Securitization of Fear in Post-Tsunami Sri Lanka', *Annals of the Association of American Geographers* 97:2, 361-372; Rampton, D (2007) 'Development, Humanitarianism and Spectre of Colonization in the Eastern Province', International Seminar, Humanitarian Action in the 'Undeclared War' in Sri Lanka, Geneva, Switzerland, 22 September; Centre for Policy Alternatives (2007), *Policy Brief on Humanitarian Issues*.
- 47 See Foundation for Coexistence (2004), *Ethnic Relations and Human Security Eastern Sri Lanka*, Asia Foundation.
- 48 In 2007, the Tamil Makkal Viduthalai Puligal (TMVP) was formed as the political arm of the 'Karuna' faction. The group is 'now led by the ex-Colonel Karuna's former deputy, Pillayan, continues to rule Batticaloa and other parts of the east through terror and crime, with tacit police, military and Colombo approval. Still seen by the government and military as useful to block a Tiger re-emergence in the east, its reign of abductions, child recruitment, robberies and repression of dissent is extensively documented.' International Crisis Group (2008), *Sri Lanka's Return to War: Limiting the Damage*. Crisis Group Asia Report No. 146, 20 February, p. 12.

- 49 International Crisis Group (ICG, 2007), *Sri Lanka: Muslims Caught in the Crossfire, Asia Report No. 134*, 29 May.
- 50 For a detailed chronological account, see Inter-Agency Standing Committee (IASC) (2007a), *Conflict-Related Internal Displacement in Sri Lanka: A Study on Forced Displacement, Freedom of Movement, Return and Relocation*. April 2006-April 2007 and Addendum covering April-July 2007, pp. 39-52.
- 51 Focus group discussions, Trincomalee, October 2007.
- 52 Inter-Agency Standing Committee (IASC) (2007a), *Conflict-Related Internal Displacement in Sri Lanka*.
- 53 Interview, Trincomalee, 8 October 2007.
- 54 Household visit, Eachchilampattu DS Division, 12 October 2007.
- 55 Interview, Trincomalee, 9 October 2007.
- 56 Interview, Kiliveddi Transit Camp, 12 October 2007.
- 57 Household visit, Eachchilampattu DS Division, 12 October 2007.
- 58 Interview, household visit, Trincomalee, 12 October 2007.
- 59 Interview, household visit, Trincomalee, 12 October 2007.
- 60 Focus group discussion, 4 October 2007, and confidential interview 16 October 2007.
- 61 Returnees from Eachchilampattu believe that their homes had been looted by neighbouring Muslim communities facilitated by the army. The Karuna faction is still relatively young in the area, however, communities are aware that they are particularly vulnerable when power and control is disputed in their area. As the social fabric of the community shatters, 'protection' afforded by supporting Karuna faction becomes a survival technique.
- 62 Slim and Bonwick, *Protection. An ALNAP Guide for Humanitarian Agencies*, pp. 46-47.
- 63 Interview, Trincomalee, 17 October 2007.
- 64 Interview, Trincomalee, 10 October 2007.
- 65 New, duplicate identification cards in Sinhala language have been issued to returnees from formerly LTTE-administered areas, labelling people with 'red letters'. Mobile phone coverage is blocked in the return areas of Eachchilampattu further impinging on agencies' security, constraining involvement in and approaches to the area. The Sri Lankan Army has established camps in return areas to create 'buffer zones.'
- 66 Agencies were unclear about the return and rehabilitation process as the government did not provide a resettlement (ie., return) plan. Agencies were initially unable to access return areas in Eachchilampattu and Vakaraai.
- 67 Interview, Trincomalee, 10 October 2007.
- 68 Interview, Trincomalee, 10 October, 2007.
- 69 The government has launched a 'Recovery and Rebuilding' process of the 'Sun Rising Region.' In July 2007, the Eastern Province military commander notified local civil administrators that his office would have final say on the selection of humanitarian agencies that would be invited to work in return (formerly LTTE) areas (see International Crisis Group (2008), *Sri Lanka's Return to War*, p. 18). For an overview of securitized development in Eastern Sri Lanka see Rampton, D (2007) 'Development, Humanitarianism and Spectre of Colonization in the Eastern Province', International Seminar, Humanitarian Action in the 'Undeclared War' in Sri Lanka, Geneva, Switzerland, 22 September.
- 70 The government has issued 'Guidelines for NGOs/INGOs in their Dos and Dont's' which stipulates that agencies should 'not waste time and resources' on 'awareness programs.' Interview, Trincomalee, 10 October 2007.
- 71 Interview, Trincomalee, 10 October 2007.
- 72 Interview, Trincomalee, 10 October 2007.
- 73 Interview, Trincomalee, 10 October 2007. Principles refer to adhering to agencies' mandates and to supporting and promoting the Guiding Principles on Internal Displacement.
- 74 *Saving Lives Together* was prepared by a sub-working group of the IASC Task Force on Collaborative Approaches to Security led by InterAction and UNICEF. Inter-Agency Standing Committee (IASC) (2006), Task Force on Collaborative Approaches to Security, *Saving Lives Together: A Framework for improving Security Arrangements Among IGOs, NGOs and UN in the Field*, prepared by a sub-working group of the IASC Task Force (led by InterAction and UNICEF) 17 November 2006.
- 75 Interview, Trincomalee, 10 October 2007.
- 76 This has been seen, for instance, in a reticence to be associated with building alternative housing for returnees whose homes are occupied by the army. Whilst working towards humanitarian goals (such as the need to provide shelter), this action has the potential to assist in the consolidation of military objectives.
- 77 The most powerful civil administrator of the region, the Government Agent (GA), is a former Major General.
- 78 Interview, Trincomalee, 8 October, 2007.
- 79 Interview, Trincomalee, 17 October 2007.
- 80 Interview, Trincomalee, 11 October, 2007. For a comprehensive view of antagonistic attitudes towards NGOs, also refer to DeVotta, Neil (2007), *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*, Policy Studies 40, Washington, East-West Centre, p. 33.

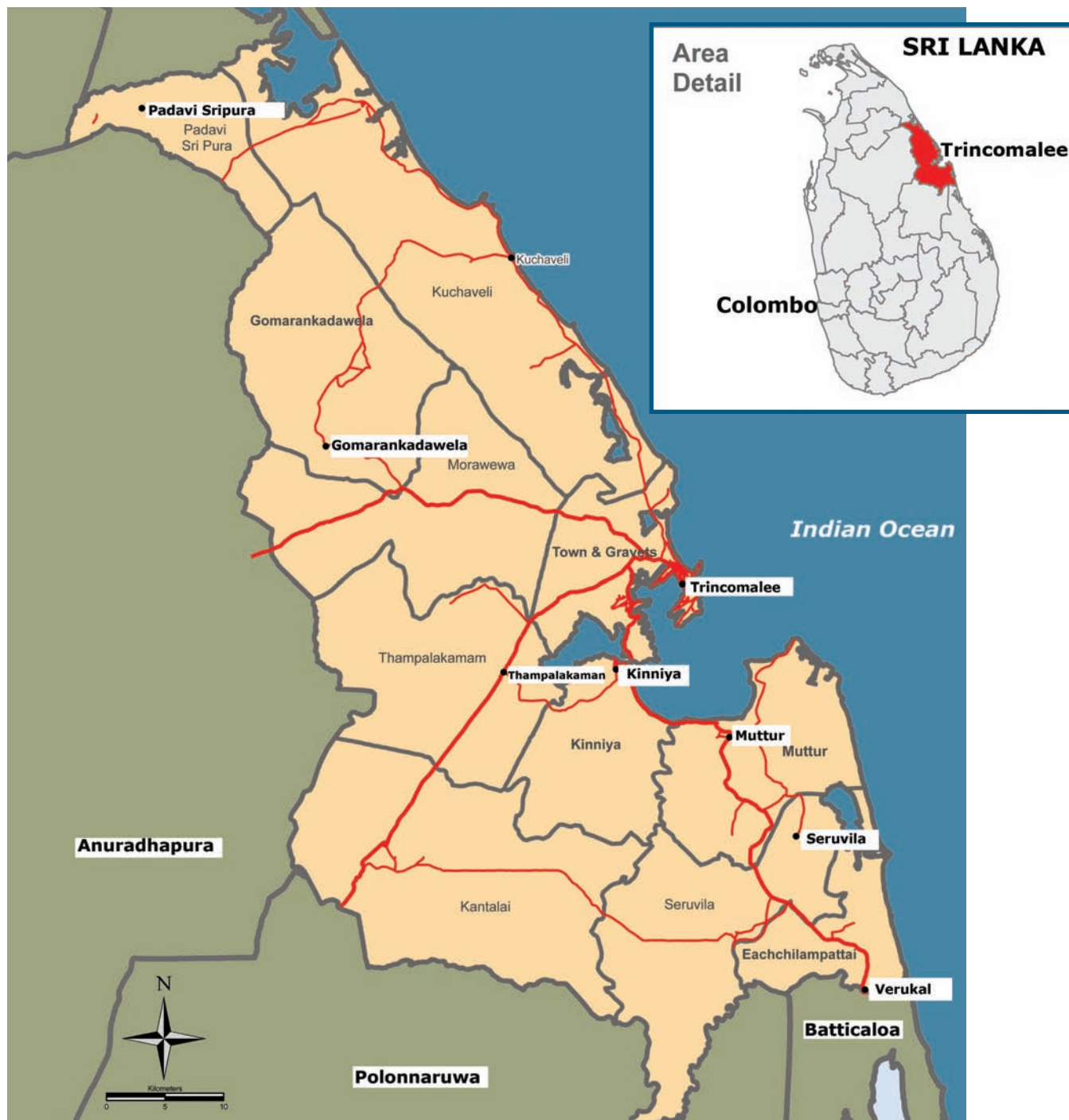
- 81 The TMVP is widely regarded as a proxy to the government. The strengthening of TMVP has created political and criminal obstacles for agencies to negotiate. The TMVP are considered less disciplined than the LTTE and are viewed by some as a criminal group rather than a political movement.
- 82 Local agencies view presence at the field level as a preventative mechanism to deter perpetrators as well as reporting leverage and empowerment for communities.
- 83 Many human rights violations occur in the night and this is an aspect of protection that is not addressed in the current responses by international agencies (with the exception of the work of Non-Violent Peace Force).
- 84 Interviews, Trincomalee, 9,10 and 11 October 2007
- 85 Interview, Trincomalee, 10 October 2007
- 86 Interview, Trincomalee, 10 and 17 October 2007.
- 87 Interview, Trincomalee, 10 October 2007.
- 88 Slim and Bonwick, *Protection. An ALNAP Guide for Humanitarian Agencies*, pp. 42.
- 89 Interview, Trincomalee, 10 October 2007.
- 90 Interview, Trincomalee, 17 October 2007.
- 91 Interview, Trincomalee, 16 October 2007.
- 92 Interview, Trincomalee, 10 October 2007.

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Administrative map of Trincomalee



Source: UN Office for the Coordination of Humanitarian Affairs (UN-OCHA) Sri Lanka, 2007

Legend

- Town
- Main Road
- Secondary Road
- ▭ DS Division
- ▭ District

Internal displacement in Sri Lanka exists in the context of protracted war. Humanitarian agencies seeking to enhance the protection of internally displaced persons (IDPs) confront operational realities of working in a difficult—politicised and insecure—environment. Based on field interviews with humanitarian agencies in Eastern Sri Lanka, this briefing paper examines challenges and obstacles of humanitarian protection in protracted conflict.



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