

## **Ground Realities: Challenges Faced by Humanitarian Actors**

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*War in the North should only be a last resort. The country is not an abstract idea to be fought for, but a living organism comprising all of its citizens. (Jehan Perera)*

### **The effects of conflict**

The war, in its current form, has marred and perturbed all development efforts within the country for over two decades. The joint UN situation monitoring report for August 2007, illustrates a current total of 177,756 internally displaced persons as a result of the conflict, scattered across the Northern and Eastern districts of Sri Lanka. The challenges we face in efforts to respond to the needs of these populations is compounded by several factors such as: access is, on a regular basis, both for civilians and humanitarian workers, difficult due to ongoing offensives; land mines and other military engagements and the absence of infrastructural and other resources. Many areas in the war zones have become inaccessible, and populations are continuously facing displacement, with even schools, community centers and places of worship losing their original sense of safety as well as no longer being readily available to access.

According to the latest report from the Asian Human Rights Commission, in August alone 178 people were killed in security-related incidents in the region, of which 50 were civilians and 38 civilians were abducted. Parallel to this, average market prices of essential food items illustrate a continued increase and livelihood opportunities for the civilian population continue to decline.

In the course of operations carried out recently in efforts to 'reclaim' the Eastern Province, over 300 innocent civilians- men, women and children, were killed. Not only were lives lost, but sizeable devastation and destruction was caused to houses, extending further to impact forms of livelihoods with plantations, crops, livestock, agricultural and personal vehicles, farming and fishing equipment being totally destroyed. The ultimate result is one of utter destitution for the people left behind.

The impact is even further intensified amongst the most vulnerable communities – the women, the children and the disabled. IDP camps force women into circumstances where they are vulnerable to abuse. A significant illustration of this, is the increasing number of under-age marriages that have taken place and are still taking place in IDP camps. These are carried out with the consent of parents, in efforts to provide protection for girl children.

The education of children is an immediate casualty of conflict and displacement. According to the Joint UN Situation Monitoring Report, in June 2007, 234 primary and secondary schools had their school sessions suspended due to security incidents. The figure rose to 291 in July 2007. A more telling figure is the number of students who couldn't attend school for

at least one day, due to security related incidents. This figure stands at 81,941 children for June 2007 and 107,269 children for July 2007 unable to attend school.

Whilst we continuously seek to respond to people affected by poverty, suffering, conflict and disaster, there has been lacking attention paid to those who are disabled and thus suffer under exclusionary policies and obstacles in day-to-day life. No critical and indepth assessment have been carried out on the needs of the disabled. In efforts to respond to the needs of others, the particular needs of the disabled have invariably been pushed to the background.

### **The need for people's participation in Development**

With this scenario in mind, an ambitious Eastern Development Programme is being planned for former IDPs who were subsequently resettled in various regions in the districts of Batticaloa and Trincomalee. However certain deficiencies in these plans have been highlighted by various media and civil society representatives.

*“Daily Mirror” of 6th of August, 2007 states:*

“The fact that the authorities have failed to provide livelihood means that no resettlement programme can be successful. The people insist that till a means of living is in place, just dumping them in lands to satisfy larger political goals will not suffice.”

Alongside the many efforts that are taking place to respond to people in need and to seek for more conclusive and sustainable responses in development and emergency contexts, there is a silent but very grave string of human rights violations occurring across the country. The districts of Jaffna, Batticaloa and the Vanni region in particular have suffered from consistent violations, and as a result, constant senses of fear and unknowingness have been planted in the minds of the people. The recognition of a declining regard for human rights should be kept in mind when looking at the current context of Sri Lanka, to not realize such violations would be contradictory to our moral and ethical imperatives as individuals and bodies who pursue a safer and more just life for any human being.

This article will address the above issues in a two-fold way. One will be the role that the humanitarian community assumes and the restrictions they it has to contend with. The other is the need for a participatory development approach which requires facilitation on the part of both the state and the agencies, together with, and for the benefit of, the displaced population.

### **Humanitarian Intervention: restrictions on agency activities**

Several restrictions have been placed on humanitarian agencies where the delivery of aid is concerned. Such restrictions revolve around issues of access, restrictions on the type of assistance provided and restrictions on the type of people who should be receiving assistance. From these, restricted access to certain regions where the need is greatest, has been the

biggest stumbling block for agencies. The partial closure of the A9 is one example. At present the entry point is kept open for a limited period of hours for five days a week. The inability to reach the Jaffna peninsula except via air and sea is another such example. Cargo space needs to be booked in advance and clearance obtained before shipping any material.

The restrictions placed on the type of assistance provided pose yet another problem. Under the CFA there were restrictions placed on several identified items. Subsequently other items have been informally added to this list and there is a lack of clarity as to what these items are. A result of this lack of clarity may be one wherein an agency will have a truck full of cement bags stuck at the entry point, even though the necessary clearances have been obtained, halting the reconstruction process.

There are also instances where agencies have been expressly forbidden from providing support to IDPs who are not recognized as IDPs. A recent UTHR report states that all such cases are of those who have a history of violent displacement tracing back to 1985. They also report a number of scattered cases of IDPs (e.g. 50 families in Thampalakamam) who do not receive any assistance.

It must also be recognized that there are certain institutional restrictions faced by agencies themselves as well. For example, in aid delivery, tensions between displaced populations and local communities nearby are understandable and well known. These tensions could be due to several reasons such as competition for scarce resources, changes in the ethnic ratios and political base, and the overburdening of the infrastructure. The long-term Muslim refugee camps in Puttalam (consisting of people displaced since 1990 from the north) are examples of this predicament. Humanitarian assistance dispensed for more than ten years by all the major international donor agencies active in Sri Lanka has been unable to address this issue, which lies beyond the scope of agencies. Another example is of that of the tsunami reconstruction efforts and the state's responsibility to provide the land and infrastructure facilities. Without this agencies are unable to successfully complete their task of providing houses for the affected communities.

An overriding concern is the safety and security of the humanitarian staff. The massacre of the 17 aid workers belonging to the French NGO, ACF, is still fresh on the minds of the agency personnel. Since then over 30 incidents of killings of humanitarian workers have been reported and 36 security incidents involving humanitarian workers have been reported for the period June – August 2007 alone.

*“Daily Mirror” of 6th August, 2007 states:*

“The political victory of liberating the East and weakening the LTTE has done little to help the ground situation. The plight of the people remains unchanged. There is little government assistance on the ground. Despite the growing criticisms and restrictions on the humanitarian agencies it is difficult to think of the fate of the IDPs without their presence. Their assistance provides a much needed life line to the hundreds of thousands left displaced.”

It is time that it be realized that a collaborative effort between the state and the humanitarian

agencies is essential in the process of development. The state should be willing to provide the necessary access, security and other needed facilities, and the agencies should identify the salient needs of the regions they are operating in and deliver the aid in a transparent and accountable manner.

It is important though that the end beneficiaries enter this process in a substantial way, as it is their needs that are being identified and addressed, and their future that is being planned and created. Which brings us to the importance of practicing a participatory approach to planning of development and long-term aid delivery, where the voices of the people are heard and listened to with attention, and their needs addressed.

### **The roles of state, agencies and affected communities in Development**

All in all, there is a marked lack of a cohesive programme acceptable to the displaced people pertaining to their resettlement on the lands from which they were evicted. The lack of transparency and consultation in regard to these activities carried out by the Government is troubling and the need of the moment is to evolve and implement a comprehensive programme that would restore lasting stability in the lives of these unfortunate people.

Therefore, the displaced people need to be resettled on the lands from which they were evicted, as per a programme prepared in consultation with the displaced Tamil people, and they should be adequately compensated for the losses suffered. It is important that they be provided with all other essential facilities so as to enable them to recommence life in a stable manner.

Agencies' role in this process will be to empower the people by building their capacity so that they are more able to project their views to the correct people, and also to be a channel between the people and the state in carrying those issues. There are many difficulties associated with this process. According to Saavithri Goonasekera, in her article on 'Humanitarian Assistance to War Victims in Sri Lanka'

'In an increasing number of regions, a lack of even basic infrastructure, combined with drastically restricted access, has resulted in the inability to implement even the simplest capacity building agenda. Moreover, these are often the areas of greatest need, and the result is the perpetuation of abject dependency and apathy.'

She also goes on to elaborate on the risks inherent in empowering individuals 'because they become targets when they are perceived as a threat. This has had serious repercussions because of the community's unwillingness to take on responsibility and the agencies' reluctance to place members of the community at risk.'

She also points out that attempts to strengthen local capacity may appear to obstruct the efficient delivery of emergency relief supplies, and which is true in the difficult early emergency stages. Therefore the higher management levels of an aid agency may often see only the short-term disadvantages in capacity building. In the interest of efficient delivery and accounting, instead of building local capacity, better-trained outsiders are put in place in the name of providing the best systems of support at the moment of greatest need.

On the side of the state, consultation with the beneficiaries is seriously lacking, and frankly,

not even entertained. For example, elections are part of the agenda of the Eastern Development Plan. Again quoting from the 'Daily Mirror':

"Denied the dignity of the basic human rights, the people would be far from ready to face any political process. The elections are the last thing on the minds of the people in this scenario. They strongly believe that .... [there] will be a threat to any free and fair election. In this situation they refuse to trust the outcome of any election."

### **Development approaches: which one for Sri Lanka?**

Approaches to development and aid planning range from

*Top-down approach*, where Humanitarian assistance is planned, delivered, and distributed with no input from the communities involved, and with no feedback afterward;

through *Limited-participation approach*, where representatives in the field work with community organizations that they have helped establish to prepare needs that will be suitably modified and amended at the head office/national level; to

*Full-partnership approach*: The rare context in which transparency and accountability cut both ways, and in which the community organizations are genuine partners with the agencies/state. Here programmes are not limited to skills training but that also involve raising awareness regarding access to rights and services.

It is evident where Sri Lanka stands in this scale. The challenge faced by our agencies, state and beneficiary communities remains to be on how to charter the path towards full-partnership approach.

CHA