

Displacement and Refugees: *North-East Sri Lanka as a Case Study*

The Problem of Displacement

In conflict ridden Sri Lanka, in all of the years spanning the latter half of this century, displacement is seen to occur on two occasions - during communal riots, and during military operations by the Sri Lankan army. Communal riots occurred in localities where the victims resided, perpetrated by mobs who indulged in killing, looting and arson. The displacement during communal riots has been largely temporary; once the tensions between the two communities in question were settled, then the refugees were able to move back to their own homes. And their homes, if they had not been burnt down, were more or less intact, with mostly only the movables removed.

On the other hand, the operations of the Sri Lankan army (SLA) are aimed at taking control of territories in the North-East Province, the location of the conflict, which involves aerial bombing, artillery shelling and large scale movement of troops which finally culminates in the establishment of military camps. Displacement that occurs as a result of army operations has become a permanent phenomena. The reasons are many. The primary reason is that private properties and infrastructure are destroyed beyond repair. If they are somehow not destroyed then they are taken over for the use of the military camps. Also, personal security assumes paramount importance; and people do not mind staying in welfare centers with very poor facilities extending for years rather than risk their lives living in the continuously contested territories. The localities that could be re-occupied by residents were also decided by the army taking into consideration the security threats this population may pose for their camps. Then, there are the military rules that come to govern local residents' lives in occupied territories. Along lagoons and in coastal areas, the areas where fishing could be pursued are demarcated by the SLA. Similar rules apply also on land. Here, in order to understand the ordeal suffered by the people, it is useful to understand how an occupied territory is divided for the purpose of security.

The areas occupied by the SLA are usually the towns and the main trunk roads. The LTTE roams the interiors. The expanse of space where the SLA has access is designated as “cleared” areas and where LTTE moves freely as “uncleared” areas. An important military objective is to strictly restrict mobility of people and goods between the cleared and uncleared areas so as to isolate it from the rest of the country. Outsiders who want to travel to any uncleared areas are governed by the laws of military permits which differ from district to district. Local residents are allowed through, but only after thorough checks are undertaken to ascertain that they do not smuggle in any of the banned items. The list of essential items that are prohibited to enter the uncleared areas is long - medicines, bandages, more than specified amounts of food items, fuel such as kerosene, petrol and diesel, candles, matchboxes, soap, cement, metal utensils, fertilisers, books etc.

The restriction of mobility caused serious problems to the farmer community. For, it is usual for the farmers to live in the outskirts of the town and have their fields situated in the interiors. Getting agricultural inputs to their fields or even just having access to them became a big hurdle. Even if the farmers dared cultivate under these circumstances, marketing their produce became an almost impossible task. This had to be negotiated sometimes through bribing or paying of taxes (?) to the rank and file of the army or the Tamil armed groups fighting alongside the army. Access to urgently needed health services is another contentious issue in occupied territories. In addition to being hampered by lack of good roads for transport, the people have to contend with negotiating the military barriers. An instance cited from the East in this context would help enumerate this. A pregnant woman in labour was not allowed to proceed to the hospital through a military checkpoint; she died afterwards due to lack of medical attention. As the status of being uncleared or cleared was in constant flux, people could not settle down to any routine. Hence, displaced families continue to be persecuted by livelihood issues.

There are occasions when the refugees become also pawns in the political chess games played by the government. In their enthusiasm to exhibit the arrival of “normalcy” the SLA dismantles refugee centers in cleared areas. Although NGOs and government officials emphasise the need for

voluntary resettlement after ensuring the availability of health and education amenities and employment opportunities, the SLA, which effectively administers the North East, has been steering resettlement based totally on military strategies and security considerations. This is one of the most important reasons for the failure of most refugee rehabilitation programmes in Sri Lanka.

State Assistance for Refugees

The problems of lack of employment opportunities and lack of social amenities meant that the refugees could not exist without government assistance. As seen above, the position was not different even for those who were resettled. The Sri Lankan government, with the assistance of international donors such as the World Food Programme (WFP) and USAID, formulated and implemented a Rehabilitation and Reconstruction Programme in order to assist the displaced. People in welfare centers were to be provided dry rations monthly consisting of rice, flour and sugar for the amount of US \$ 8.00 per family of five. When they resettled in an area of their choice, they were to be provided with temporary shelter and approximately US \$ 30 as resettlement allowance, and US \$ 60 as grant to restart a productive enterprise. If any family lost its breadwinner, provided that he or she was killed by “unidentified armed men” and not the Sri Lankan armed forces, it was given US \$ 715 as compensation, and half of this amount for any debilitating injuries sustained by the breadwinner.

Since 1995 this assistance has been enhanced by the government. It gave an additional assistance of US \$ 14 as resettlement allowance, and assistance for temporary shelter of US \$ 100, and for permanent housing US \$ 350. Although these regulations were in place, in reality the government was constantly beleaguered by liquidity crisis. Very often, it could not meet its obligations regarding refugees.

From Eelam war II to Eelam war III

Previous to the year 1990, displacement of the Tamil community occurred in the South and the East, mostly due to communal riots. The North, by virtue of being totally a Tamil area, escaped this fate. The year 1990, when Eelam

war II broke out between the LTTE and the Sri Lankan army, was a water mark in the history of displacement in Sri Lanka in its severity. Over a million people were displaced in the North-East, including people of the Jaffna peninsula. The East was reeling under the biggest ever communal riots between the Muslims and the Tamils in addition to the ongoing war, resulting in a near total internal displacement in the East at least as far as the Tamil community was concerned. Tamil and Muslim villages were situated next to each other in an alternate manner, making it easy for the marauding mobs from the Muslim villages who were greatly encouraged and protected by the Sri Lankan army, to attack. Tamils living in villages bordering Sinhala areas of the East were also similarly displaced. A section of these refugees were subsequently resettled in 1992 in other private and public wastelands of the Batticaloa district, while only those from Tamil villages situated in Tamil localities were able to go back to their own homes.

The North however was affected by the occupation of the naval and army camps within the peninsula. The Sri Lankan army had begun to adopt artillery shelling as one of its regular weapons, driving thousands of people away from army camps beyond their artillery range. To make matters worse, the Muslim community of the North was driven out by the LTTE, ostensibly as a revenge for the violence inflicted by the Muslims of the East on their Tamil neighbours. The Tamils who were displaced in the Jaffna peninsula were given shelter in refugee camps near Jaffna town or sought refuge in houses of their friends and relatives. Thousands of others escaped by boats to South India from the districts of Jaffna and Mannar; as these districts had a large fishing community it enabled relatively easy movement by sea. The Northern Muslims moved to the predominantly Muslim areas of the South and were housed in temporary shelters. To date, those displaced in the Jaffna peninsula in 1990 have not been resettled. The Tamils of the peninsula are continuing to be displaced even from the places where they have taken temporary residency. The Northern Muslims are still waiting for indications of reconciliation from the LTTE.

There were great expectations of the new government that was sworn in at the end of 1994. People both from the North and the South looked forward to a solution to the conflict. But the euphoria was short lived. The peace

negotiations between the government and the LTTE failed in April 1995 paving the way for the execution of a war of unprecedented levels. Hence October 1995 became another watermark in the context of the problem of displacement. 650,000 people living in the Jaffna peninsula became displaced during the series of operations conducted by the SLA in a bid to walk through and capture the peninsula. More than 350,000 crossed through a lagoon (no roadway) to the Vanni districts in the North comprising of Mullaitivu, Kilinochchi, Mannar and Vavuniya.

Even before this massive exodus, the North was already a besieged economy due to a total economic blockade imposed by the government since 1990. It had no electricity, no engine fuel, restricted kerosene and no metal products. It was allowed food and medicines in very restricted quantities. Whatever was allowed had to be transported to Jaffna by sea as all road links to the peninsula were closed; or if the destination were the Vanni districts (the Northern mainland), the goods had to be transferred from the lorries of the South into lorries from the Vanni after detailed inspection, to be transported into uncleared areas. Apart from delays, this caused much wastage and pilferage. Hence, the prices of essential commodities and facilities such as bicycles were ten or fifteen times the market price in the South. The prices of local produce dropped due to the inability to market them to the South. Transport costs skyrocketed up to 20 times the normal times. Autos and motorcars had begun to run on vegetable oil and kerosene. Already the North had turned into an economy of smugglers and petty traders whose main vocation was to cross over the “border” and bring in restricted commodities. Given this backdrop, the 1995 displacement laid heavy burdens on the already crushed people.

The Vanni districts are mainly forestland plagued with scarcity of water. It is a drought-prone region. It had traditionally been sparsely populated, and could not support this sudden influx of hundreds of thousands. Malaria, dysentery and brain fever became rampant. Their plight worsened when the government began to tighten the stranglehold it had on the transport of essential items into the Vanni as never before, causing severe health and nutrition crisis. The situation was such that even basic medicines such as panadol, dispirin, antibiotics and bandages became totally

banned items. Drugs to treat Malaria were severely restricted and even the spray for the prevention of Malaria was included as one of the banned commodities. Hospitals could not obtain basic facilities and kerosene which is essential to keep the refrigeration and other facilities going became a strictly rationed commodity.

Food production in the Vanni could not cope with the increase in the size of the population due to drought, impoverishment and the ban on agriculture inputs. The navy had imposed severe restrictions on fishing. Deep sea fishing became a hazardous occupation. But the fear of starvation drove the fishermen to the seas despite the risks. In the Mullaitivu district alone, an average of 14 to 18 fishermen die each year being shot by the navy at sea. Due to the presence of all these factors, by and large the refugee population depended on the government for the provision of food. But the provision of essential items to the Vanni, an important base of the LTTE, was wrought by the politico-military strategy of the government and the armed forces. The government attempted to kill two birds with one stone - tighten the noose around LTTE's neck at the same time drive the civilians out of the Vanni districts. But it also had to ensure that the population was not driven to absolute starvation levels for that might provoke the international community to intervene. The Ministry of Defence inordinately delayed the approval of food convoys into the Vanni. The Presidential Secretariat began to dispute the refugee figures provided by the Vanni Government agents, its own most high ranking district administrators. Instead it insisted on sending food based on the amounts computed by their own statisticians sitting in Colombo who consulted with the SLA. This tug-of-war resulted in a steep decline in the quantities of food and medicines sent to the Vanni.

Another crisis-hit sector was education. The education authorities in the Vanni were one of the groups of government officers thrown off guard as a result of this influx. Schools meant for 400 students had to take in as much as 2000. Most classes were conducted in the open, under trees. Needless to say that most school buildings have already been destroyed. Moreover, the health and nutrition crisis in the Vanni has impacted on the functions of the schools. It became habitual for the normal school day to taper off from after 10'oclock in the morning as some children faint and

others lose interest in following classes due to attending school without breakfast. The school authorities began to appeal to the NGOs to conduct nutrition programmes in schools to rectify this situation. The situation was further exacerbated by the restrictions placed on exercise books, text books, chalks, colouring items, and black paint for blackboard. Teachers struggled to retain students' interest and completing prescribed syllabus. The authorities also became concerned with school drop-outs who were mostly from the welfare centers. In the Northern Province alone, it is estimated that over 80,000 children have dropped out of school due to being displaced and being destitutes. The teacher- student ratio in the war region also did not help to alleviate the problem. It is estimated that 10,000 more teachers have to be recruited in the North East in order to satisfy current government standards for teacher-student ratios.

After enduring for one year such unbearable hardships, a majority of the refugees returned to Jaffna at the end of 1996. But the conditions in Jaffna did not afford resettlement in the proper sense. Their houses were either damaged or destroyed. Despite the capture of Jaffna, it was still cut off from the rest of the island, so essential items were scarce. Moreover, the government was unable to deliver much on its publicised reconstruction programme for the peninsula. Lack of sincerity and commitment, its inability to bring the peninsula under its military control as anticipated, a Sinhala dominated bureaucracy in the South with a communal bias, all led to the failure of the reconstruction efforts.

As elsewhere there are cleared and uncleared areas in the peninsula. Within the cleared areas there are high security zones and restricted zones. Stringent restrictions are imposed to control the movement of people and goods, their involvement in income generation work, and social and educational activities. This situation was not conducive to a normal peaceful life. As far as the citizens were concerned the security situation deteriorated considerably after their return to Jaffna. With the influx of civilians, infiltration of the LTTE was bound to happen. This drove the military to desperation. During 1997 alone over eight hundred young people went missing; reports of women being molested, killed and disposed of, came to light. At present,

investigations are on to unearth the mass graves alleged to consist of the remains of about 600 victims.

***Refugee Statistics Pertaining to the North of Sri Lanka
(as of Dec 1998)***

Jaffna District:

Population (current) 150,076 families (500,040 persons)

Returned:

From May 1996 to Dec 1998

from Trincomalee by ship 66,502 persons

from Mannar by ship 9,994 persons

Mar 1997 to Dec 1998

to Gurunagar by boat 36,873 persons

Resettled:

In original place - 82,028 families

In temporary accommodation - 19,165 families

In welfare centres - 1,690 families

Those receiving dry rations or cash assistance:

Welfare centres - 1,878 persons

Displaced but outside welfare centres - 258,228 persons

Not displaced but economically affected - 9,390 families

In Vanni also the refugee situation could not stabilise due to fresh operations begun by the SLA in May 1997 to open a road from Vavuniya to Jaffna bisecting the region. This military operation is considered to be the longest and the bloodiest in this conflict, or for that matter any other conflict in the history of Sri Lanka. This operation brought in its wake thousands of refugees fleeing within the Vanni districts. There are hundred of families who have been displaced as much as five times during the past nine years beginning in Jaffna. It must be noted that dry rations are not provided by the government to those who have been displaced after April 1996, which numbers to about 65,000 people. Taken together, these factors have worsened the plight of the refugees. As per figures furnished by the government agents, approximately 400,000 people are eligible for the issue of dry rations barring the post-1996 refugees. However, in view of the dispute between the figures, the government approved dry ration only

for 295,000 until June 1998 and since then the amount has been further reduced for only 236,462 persons. To show one example, the total requirement of food for the Vanni in June was 3412 metric tons but only 1308.1 metric tons were sent.

***The approved quota of kerosene oil (in barrels)
to the uncleared areas had been drastically reduced
by the Ministry of Defence.***

| | |
|--------------------------------------|------|
| Actual Requirement | 6953 |
| Quantity approved prior to June 1997 | 6400 |
| Reduced quantity from June 1997 | 2300 |
| Present quota since Aug 1998 | 1425 |

Since January 1997, approximately 200,000 people have moved out of the Vanni's uncleared areas primarily in search of food. But, the numbers of displaced continue to swell in the Vanni districts. During the early part of this year the SLA forcibly dismantled a welfare centre consisting of about 10,000 refugees located within the premises of a famous catholic shrine in Madhu in the Mannar district. This was due to a dispute that the military had with the Catholic church which was emphasising that Madhu has been maintained as a zone of peace till the military take-over in 1999, and wished to continue that status quo. Since the military could not move about unarmed, the next face-saving measure they could implement was to dismantle a nine year old refugee camp within the premises of the church. These refugees have now been distributed amongst the welfare centers in the cleared areas of Mannar and Jaffna.

Since the Vanni military operations are still continuing, it is anticipated that its associate problems and crisis such as enumerated above, will continue to be present. An example is the total blockade suffered by the Vanni in July and August this year. During June 1999, the access roads into Vanni also were sealed off as a result of the capture of new territories by the SLA in its continuing bid to open the road to Jaffna. Reopening alternative routes for civilian use became bogged down with disputes between the LTTE and the SLA on the modalities. This dragged on for two months during which

time food and medicine supplies to the Vanni were completely halted. There was a crisis regarding bringing out patients in critical state for medical attention. Temporary arrangements were made to bring them to the coastal areas and transport them by small boats to the Mannar district's cleared area, from where they could be transported by ambulance to the Mannar or Vavuniya base hospital.

Vanni Population as of 31.3.99

| District | Non Displaced | Locally Displaced | Displaced from other districts | Total Displaced |
|------------------------|----------------------|--------------------------|---------------------------------------|------------------------|
| <i>Uncleared Areas</i> | | | | |
| Kilinochchi | 27585 | 42030 | 80403 | 1510018 |
| Mullaitivu | 43111 | 35310 | 115458 | 193879 |
| Mannar | 7872 | 8020 | 16576 | 32468 |
| Sub total | 78568 | 85360 | 212437 | 376365 |
| <i>Cleared Areas</i> | | | | |
| Mannar | 41898 | 18112 | 19044 | 79054 |
| Vavuniya | 70970 | 17640 | 46225 | 134835 |
| Sub total | 112868 | 35752 | 65269 | 213889 |
| <i>Grand Total</i> | <i>191436</i> | <i>121112</i> | <i>277706</i> | <i>590254</i> |

The Right to Freedom of Movement and Residence

The SLA has evolved a complex system for the issue of 'passes' to displaced people for internal movement and travel. This section of the office of the forces is named as the office for "Population Control". This office houses 'transit camps'. Transit camps are centres where people crossing over from uncleared to the cleared areas are detained. They have to stay here and submit themselves to investigations by the various investigation units of the police and the army. Only once they are cleared they are given the pass to travel anywhere in the South. Sometimes life in transit camps could extend up to even one year if the security authorities need more time to 'clear' the application. Till then the inhabitants of a transit camp endure the terrible conditions of the camp. The applicant being old and infirm, or his/her condition being feeble in need of urgent medical attention in Colombo, do not influence military decisions. These transit camps are usually either school buildings or various government stores or office

buildings. Although the facilities they have such as toilets cannot hold more than fifty, sometimes two thousand are cluttered within these premises. The camp is built around with barbed-wire fences to dissuade free movement of people. The residents can go out of the camp only twice a week and that too for only stipulated hours. This system has bred corruption within the armed forces. Numerous cases have been reported on the sufferings of the people as a result of the pass system.

All the major towns of the North-East have specific systems for the issue of passes as decided suitable by the Ministry of Defence. Since Vavuniya functions as the present gateway to the North, it is useful to look at the regulations in operation there as one example. The regulations pertaining to the issue of passes to all possible categories of people are annexed at the end.

Listening to the Displaced

In 1996 and 1997 OXFAM and later Save the Children conducted a survey looking into the needs of the displaced in the districts of the North termed “listening to the Displaced”. Several messages came out of this research. People talked much about the value of freedom and the need for peace; they expressed feelings of humiliation for having been forced to descend to levels where they had to depend on hand-outs; they often spoke out their concerns about their children’s education.

People were aware that **peace** or the lack of it determines the quality of their life. This is evident both from people’s account of their lives and the fact that their present predicament stems from the absence of peace. This is inevitably linked to the loss of accompanying freedoms and rights. People who have chosen not to return to Jaffna from the Vanni said the perceived lack of security upon returning to Jaffna had led to their decision to stay, in spite of poor living conditions. Those who have returned to Jaffna from the Vanni and elsewhere in the peninsula are confronted with the rigid security measures now in place. Most of their main problems are related to the prevailing security situation. It affects almost all aspects of their lives, education, employment recreation, rights and freedom. They are unable

to come to terms with the restrictions on mobility and the threat of landmines. People use only paths that are known to be free of mines. Most people said that they preferred to maintain a safe distance from the army personnel and that children mostly stayed indoors.

Collective initiatives at the community level have almost ceased to exist both in the Vanni and Jaffna because established structures have disappeared. Frequent displacements have compelled disparate communities to live together altering conventional social systems.

There is a perceptible change in the nature of **relief** sought by the people. Both among the displaced population and those who have returned, there is a marked preference for long-term relief measures. Supply of dry rations by the government and food-for work schemes were identified as useful programmes; while acknowledging the usefulness of short term relief actions and inputs in the form of food and shelter, the interviewees desired for more long term approaches. They seemed to long for achieving **self- reliance**. Employment ranks high among the concerns voiced by the people of Vanni and Jaffna. All respondents in the Vanni mentioned the problem of unemployment. For most people the issues of unemployment and food or the essential daily needs were closely linked. People said that food itself was less of a problem than the ability or opportunity to earn money to buy the food they needed.

The natural diversity of skills among people and their ability to learn new skills have helped many find temporary employment. For example, people in the Vanni and Jaffna are engaged in agricultural labour, construction of roads, collecting firewood, making coir ropes, preparing charcoal, weaving palmyrah mats and cadjan roofing, pottery and brick making, bicycle repair, poultry, masonry, carpentry, toddy tapping, and various other small scale, income earning activities. However, despite their ingenuity, people are economically insecure because of the low income they receive and the irregular nature of their work.

The author is a social activist and a freelance researcher.

Annexure:

Regulations for the issue of Military Passes in Vavuniya - June 1999

1. To stay in Vavuniya

(a) People entering Vavuniya

People entering Vavuniya from North or South will be issued one - day pass at the entry check points. This one- day pass could be extended for a further 5 days at a particular police post without anybody's recommendation. Application for further extension for a maximum period of one month will be considered on a case by case basis by the Superintendent of Police (SP, Population Control). Such application should be handed over at a particular police post with a permanent surety and with the recommendation of the Grama Niladhari (GN, the village government officer). For extension of the pass for more than one month, the recommendation of the divisional secretariat is required. The Divisional Secretary (DS, the government agent at the Pradesha level) should furnish the specimen signature of the GN to Senior Superintendant of Police, Vavuniya through the district Government Agent (GA).

(b) Public Servants on Duty

One- day pass of the public servants who come into Vavuniya on duty will be extended by the SSP for 1 month with the recommendation of the respective local heads of departments. Further extension will be with the recommendation of the local head of Department and the DS.

(c) For medical treatment

If it is required to extend the residential pass for medical treatment, the application should be handed over to the Police post with the recommendation of the District Medical Officer, Base Hospital , Vavuniya.

(d) University Students on Vacation

Applications should be written on prescribed forms and handed over to the Police post with the recommendations of the DS.

(e) Persons who have come from abroad and due to return

The application should be written on prescribed forms and handed over to the Police post with the recommendations of the DS along with copies of passport and visa.

2. Travel passes to South of Vavuniya for persons coming from Vanni's uncleared areas.

(a) Public servants

Offices travelling on duty should make their application in the prescribed form with the recommendation of the relevant GA and submit at the Vavuniya Kacheri.

(b) University students who travel to the University of Jaffna and South of Vavuniya for the first time

Applications must be made in the prescribed form available at the respective kacheris. The applications should produce sufficient documentary proof for their selection. The application should be recommended by the GN, DS and GA concerned and handed over at the kachcheri.*

(c) For medical treatment

Recommendations of the DMO is necessary.

(d) Others

The applicant should provide permanent surety which should be certified by the GN and the DS.

3. Passengers coming from Mannar to travel to Trincomalee and Batticaloa.

On production of the pass issued by Mannar police they will be allowed to travel from the transit camp.

4. Travel pass to South of Vavuniya for those residing in Vavuniya cleared area and who are not in possession of the permanent or three months non restricted pass

These category of persons must get the recommendation of the DS, or the DMO as necessary and submit their applications.

5. Special pass for public servants

Public servants who are residing continuously since 1996 and who are registered as voters for 1997 and 1998 will be issued with a special type of residential pass renewable annually.

6. Issue of 3 months open pass

Students of National College of Education, University School of Agriculture etc and religious dignitaries will be issued with 3 months open pass on the recommendation of the head of the institution and the GA Vavuniya.

7. Persons released from welfare centers to live in Vavuniya cleared area

While on release, they will be issued with 1 month residential card pass.

8. Release from the transit camp to live in Vavuniya

The list should be sent to the supt. of police for approval with the surety of a permanent resident. They will be issued with one month temporary residential pass at the time of release and will be renewed until such time that displaced persons are in a position to return to their places of origin.

9. Surrender of Green cards

The permanent passes issued on green cards are being converted into computer passes. The green cards are surrendered at the police post and a number given. Those who have surrendered the green cards are not allowed to travel South of Vavuniya without a computer pass. Since there is a delay in issuing permanent passes for those who have surrendered their green card, arrangements have been made by the police to allow such persons to travel to the South.

* Kacheri is the central office of the Government Agent.