

# Tsunami

## A study on disaster response in Sri Lanka

April 2006

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1. Terms of Reference
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4. Memorandum of Understanding of June 2005

## Acronyms

ADB	Asian Development Bank	RADA	Reconstruction and Development Agency
AWAW	Association of War Affected Women	RRR	Relief, Rehabilitation, Reconstruction
CBO	Community-Based Organisation	SEED	Social Economical and Environmental Developers
CFA	Cease Fire Agreement	SLRC	Sri Lanka Red Cross
CHA	Consortium of Humanitarian Agencies	SLFP	Sri Lanka Freedom Party
CUCEC	Colombo University Community Extension Centre	SLMM	Sri Lanka Monitoring Mission
DRMU	Disaster Relief Monitoring Unit	TAFREN	Task Force to Rebuild the Nation
EPDP	Eelam People's Democratic Party	THRU	Tsunami Housing Reconstruction Unit
FCE	Foundation for Co-Existence	THW	Technisches Hilfswerk
GAA	German Agro Action	TNA	Tamil National Alliance
GOSL	Government of Sri Lanka	TRO	Tamil Rehabilitation Organisation
GTZ	Gesellschaft für Technische Zusammenar- beit	UN	United Nations
FFM	Fact Finding Mission	UNDP	United Nations Development Programme
HAI	Health Action International	UNHCR	United Nations High Commission for Refugees
HDO	Human Development Organisation	UNICEF	United Nations Children's Fund
HRCSL	Human Rights Commission of Sri Lanka	UNP	United National Party
IFRC	International Federation of the Red Cross	UPFA	United People's Freedom Alliance
IDP	Internally Displaced Persons	WFP	World Food Programme
ILO	International Labour Organisation		
IMADR	International Movement Against All Forms of Discrimination and Racism		
INGO	International Non-Government Organisation		
ISGA	Interim Self-Governing Authority		
JHU	Jathika Hela Urumaya		
JM	Joint Mechanism		
JVP	Janatha Vimukthi Peramuna		
LTTE	Liberation Tigers of Tamil Eelam		
MDG	Millennium Development Goals		
MONLAR	Movement for National Land and Agricultural Reform		
NCA	Norwegian Church Aid		
NECORD	North East Community Organisation for Rehabilitation and Development		
NGO	Nongovernmental Organisation		
OCHA	Office for the Coordination of Humanitarian Affairs		
ODA	Official Development Assistance		
PLOTE	People's Liberation Organisation for Tamil Eelam		
PPC	People's Planning Commission		
P-TOMS	Post-Tsunami Operational Management Structure		

# 1. Introduction

## 1.1 Background

The tsunami of December 26, 2004, which hit countries in and around the Indian Ocean with unprecedented force, caused tremendous destruction on the island of Sri Lanka. According to the report released by the Government on the first anniversary of the disaster 35,322 persons were killed; 21,441 persons injured and 516,150 persons internally displaced.<sup>1</sup> The estimated economic value of the lost assets is \$900 million, the number of lost livelihoods is 150,000. 98,000 houses are damaged, 75 % of the fishing fleet have been destroyed and 23,449 acres of agricultural land have been salinated. 97 health facilities have been damaged or entirely destroyed and 182 schools are either fully or partially destroyed.

Equally unprecedented was the wave of support that set in immediately after the tsunami. Based on figures presented by the Government of Sri Lanka, the international community pledged \$3.3 bn, 2.1 of which had been converted into commitments by the end of the year 2005 and 0.6 had been disbursed.<sup>2</sup> Close to one billion USD originated from the NGO community.

The tsunami happened at a time when Sri Lanka was struggling with its delicate peace process that has been deadlocked since April 2003, although a truce signed in February 2002 between the Government of the day and the Liberation Tigers of Tamil Eelam (LTTE), with the mediation of Norway, was holding on.<sup>3</sup> The civil war of over 20 years' duration claimed the lives of an estimated 65,000 people and uprooted more than one million civilians. Over 200,000 people fled overseas, while the large majority remained internally displaced on the Island. Many had to flee several times and ended up living permanently (over 20 years) in shabby "welfare" centres and temporary huts. According to official data, by December 2005 the ceasefire agreement of February 2002 had been violated 162 times by the Government and 3,471 times by the LTTE.<sup>4</sup>

One year after the tsunami numerous reports, evaluations and assessments documented what had since been achieved in putting these resources to use – and a highly mixed picture emerged. The people of Sri Lanka, individuals, organisations and government, specifically on local levels, in an outburst of solidarity and mutual help handled the situation brought about by the tsunami very effectively: no post-tsunami hunger, no epidemics, no death attributable to poor disaster management was recorded. Given the size of destruction and losses that is indeed a highly commendable achievement. Most of the reports published at the turn of 2005 refer to these successes as well as to remaining bottlenecks and all out failures and lessons learned in dispensing relief and moving on to recovery and reconstruction. Rarely, if at all, do they extend to strategic issues inherent in these undertakings.

However, what may present itself as the quasi-objective requirements of humanitarian relief and the need to restore a normal life inevitably is fraught with strategic underpinnings and rami-

fications. The very fact that the poor and marginalized tend to be disproportionately hit by natural disaster entails information about the social and political structure of a society; so does the targeting of aid to relief, rehabilitation and reconstruction and, possibly even more so, the avenues chosen. In other words, inevitably, "*rebuilding their lives*", as the standard phrase coined has it, is guided by concepts of a desirable or at least obtainable life and "*Building Back Better*" Sri Lanka is based on a concept of what exactly is better, and these concepts form part and parcel of the power structure of society.

The Fact Finding Mission attempted to look at post-tsunami action with the perspective of the strategic issues implied. It was not seeking to assess or evaluate relief and recovery activities in terms of immediate, tangible results but rather raised questions of strategic nature. Which agendas are perceived to be at stake and at work? How do the processes of relief, recovery and reconstruction favour or disadvantage the agendas of specific actors? How much space for renegotiating or resisting strategies and results, felt to be unfair and unfavourable to the livelihood prospects of tsunami victims, can be discerned? And, in view of the fact that most loss of life and most physical damage occurred in the Northern and Eastern areas already heavily burdened by civil strife and continuing tension, how does the interaction of the effects of civil war and of the tsunami play itself out in the lives of the disaster-ridden people and the chances for a peace process?

The systematic link between relief, rehabilitation and development has long been established in development discourse entertained within the United Nations and by multilateral and bilateral donor agencies as well as the NGO community. The Government of Sri Lanka in conjunction with international aid agencies and civil society actors pronounced itself committed to a process

"...conceptualised in terms of a vision *Build back better* of better quality of life that is enabling and sustaining livelihoods that is beyond the limits of community development. The vision envisaged commitment to poverty reduction, located in the larger development strategy in terms of achieving MDGs".<sup>5</sup>

It is therefore indeed a valid question to what extent the process of *Building back better* is supporting a strategy of people-oriented development and the rights-based approach that most of the international agencies, including multinational and bilateral donors and certainly the civil society development community, subscribe to.

## 1.2 Work process

The Fact Finding Mission was initiated and commissioned by the German NGOs medico international and Bread for the World (Brot für die Welt) and supported by the Heinrich Böll Foundation. Fieldwork in Sri Lanka was facilitated by the partner organisation of medico international and Bread for the World, MONLAR, in conjunction with the People's Planning Commission, an association of NGOs and CBOs. For the visits to North and East medico's partner organisation SEED was particularly helpful. Mission members were Prof. Dr. Claudia von Braunmühl and Dr. Reinhardt Bolz (Germany), Kath Noble (UK), Shreen Abdul Saroor and Linus Jayatilake (Sri Lanka). Dr. Barbara Ramsperger for Bread accompanied the mission for the World and Dr. Thomas Seibert for medico international (for terms of reference see Annex 1).

1 Government of Sri Lanka, Building Back Better Sri Lanka, BBB, 2005

2 BBB: 8

3 Truce was continuing which means that there were no major guerrilla attacks or face to face fights between LTTE and the government. However, the ceasefire was punctuated by enormous human rights violations, political killings and child conscription (by the LTTE) as documented by the Sri Lanka Monitoring Mission and human rights groups. The LTTE on its part asserted that its priority was the collective rights of the Tamil people and accused the Government of dilatory tactics and engaging in 'proxy' war against the LTTE by using Tamil 'para-military' groups, especially the Karuna faction.

4 Summary of recorded complaints and violations from all districts, Sri Lanka Monitoring Mission, January 2006

5 BBB: 84.

The mission took place from December 2 – 16, 2005. From December 2 – 5, discussions were held in Colombo with members of national and international NGOs, staff of the Sri Lankan Human Rights Commission, various UN agencies, the Tourist Board and individuals active in academia and in journalism. From December 6 - 11 the mission formed two groups one of which travelled to the Eastern coast (Mullaitivu, Trincomalee, Batticaloa and Ampara) and other districts affected by the war (Vavuniya and Kilinochchi), where they met with national and international NGOs, representatives of local government and of the LTTE. The second group travelled the Southern shore (Gampaha, Moratuwa, Ambalangoda, Galle, Tangalle, Hambantota). It also met with national and international NGOs and representatives of local and regional government, with fishermen's groups and women's organisations. Both groups visited camps where tsunami survivors and people internally displaced by the civil war were housed in shelters designed to be temporary. Upon the return of both groups to Colombo, further talks were held with civil society and NGO representatives, with TAFREN (Task Force for Rebuilding the Nation) and its successor RADA (Reconstruction and Development Agency), multilateral and bilateral aid agencies as well as the German Ambassador and embassy staff (for work programme see Annex 2).

Primary authorship for chapters and subchapters rested with: Claudia von Braumühl: 1, 5, 7.4 to 7.5, 8 (with Shreen Saroor), 9 and 10; Kath Noble: 2 (with Shreen Saroor), 3, 4 (introduction) and 4.1.; Shreen Saroor: 7.1 to 7.3. Reinhardt Bolz: 4.2 and 4.3, 6. The report was edited by Claudia von Braunmühl. The original version of the report is submitted in English. It will be followed by a translation into German.

## 2. Economic, social and political situation one year after the tsunami

When the tsunami hit Sri Lanka, the country was already in the grip of three major problems. Firstly, the prolonged ethnic conflict which has resulted in heavy loss of life and damage to economic and social development, particularly in the North and East. Secondly, the challenges of a heavy militarisation of the society which resulted in a gradual erosion of the value of democratic institutions. This was particularly acute in the last few years with their "no war no peace" situation which had the country drift towards an increasingly anomic state. Thirdly, the problem of accelerating poverty levels, social cleavages and regional disparities, and the inability of the Government to improve the living condition of the people in general.

Sri Lanka is well known for its strong education and health indicators, which bear evidence to the efforts that the country has put in over a long period of time. However, these achievements have been eroded by the failure to transform them into economic well-being. Around a quarter of the population in seven of the eight provinces is said to live below the national poverty line of Rs. 1,423 per month, which is about € 0.38 per day.<sup>6</sup> Data are officially not available for the North and East, which have been the primary areas, affected by conflict, but it is accepted that poverty levels are yet higher.

## 2.1 Neo-liberal reforms

Since 1977, successive governments have been implementing neo-liberal economic policies with a comprehensive restructuring of all economically relevant sectors. It was hoped to create a more market oriented economy that would stimulate private sector-led export-based economic growth and through trickle down effects reduce poverty. With the encouragement of international institutions, extensive reforms have been implemented or started: trade liberalisation including the abandoning of import licensing and quotas, the reduction of import tariffs and the phasing out of export duties; financial sector liberalisation including dismantling foreign exchange controls and easing restrictions on foreign investment; fiscal management reforms including cuts in government expenditure on food and other consumer and producer subsidies; privatisation of around 80 state owned enterprises (with the exception of 'strategic enterprises' such as water, electricity and public transport); and labour market deregulation. Further reforms are underway: public administration reform downsizing the government apparatus; public enterprise reform restructuring and possibly privatising the two remaining national banks, the state electricity board and the water board; land reform towards the accumulation into large plots for mechanised farming; social welfare reform reducing coverage of the social safety nets. While these reforms benefited the local elite, poverty figures have remained relatively static. In addition, the reforms have not been able to narrow acute income disparities, rather socio-economic inequality has increased sharply. The lowest 40% of households receive around 15% of the national income and the highest 20% receive around 50%. Income inequality as measured by the Gini coefficient now stands at 41%.<sup>7</sup>

During the last two and a half decades, the national production structure has changed from an agriculture-based economy towards services and manufacture. Garment industries have set up in free trade zones to which foreign investors were enticed with tax exemptions and other incentives to establish export-oriented businesses. Their relative success – garments make up around half of all exports – has been largely achieved through very low wages and unstable employment for workers, predominantly poor women, coupled with the violent repression of organisations attempting to ensure their rights. Migrant labour has increased, again largely involving poor rural women. The other major export commodity continues to be tea, which also depends heavily on cheap labour, mostly upcountry Indian Tamil women. These industries contribute positively to the balance of payments and to economic growth. They absorb a certain segment of the labour force, but the women employed in these sectors face numerous hardships and remain unskilled and underprivileged.

Meanwhile, prevailing traditional livelihoods have come under serious threat, particularly farming and fishing. Of the one million paddy farming families in the country, most are now compelled to sell their harvest at less than the cost of production.<sup>8</sup> Many are being illegally forced to give up their rights to land to pay back loans. This is the result of attempts to promote growth in the agriculture sector, based on a shift away from 'low-value' paddy to 'high-value' export crops. To encourage this, state intervention in support of marketing paddy was effectively ended and the state marketing board was closed and stores sold. Free agricultural extension services were discontinued. Responsibility for the

6 Household Income and Expenditure Survey 2002, Department of Census and Statistics, Government of Sri Lanka

7 Attaining the Millennium Development Goals in Sri Lanka, World Bank, March 2005

8 MONLAR, Paddy Crisis, March 2006

production of seeds was handed over to the private sector. Low interest credit to farmers was stopped. Charges were introduced for irrigation water. The diminishing focus on the agricultural sector has resulted in a decline in productivity and in competitiveness, an increase of poverty in rural areas and the pushing of the agricultural labour force into low paid and unskilled jobs in the industrial and service sectors or into seeking survival in the informal sector. Similar threats have come to affect the fishing communities as a result of comparable attempts to promote growth by encouraging industrial fishing at the expense of beach-based operations.

Opposition to economic reforms has been strong. The trade unions have often been at the forefront, particularly after the start of the privatisation programme, which resulted in huge job losses, and more recently against changes in labour laws to make it easier for companies to dismiss workers. Increasingly organised groups from the main sectors thrown into crisis, farmers, fish workers, plantation workers, men and women alike have joined trade union opposition. In addition, protest has been raised particularly against infrastructure projects such as highways and power plants as major components of the neo-liberal economic strategy.

The election of a coalition government of the PA<sup>9</sup> with the JVP<sup>10</sup> in April 2004, campaigning on the basis of rejection of the economic reforms, could be seen as the latest manifestation of the people's opposition, although it never became clear whether this would result in a change of direction, because significant power is centralised in the power of the executive president, and the coalition collapsed in June 2005.

## 2.2 Socio-economic situation

The tsunami struck at a time when Sri Lanka's economy was once more under pressure on several fronts. The collapse of the peace process and a deteriorating political environment were pushing the country into the kind of crisis that was seen in 2001 when the economy suffered a negative 1.5% growth. However, the country's immediate output as measured by GDP seems not to have been affected by the tsunami. According to data released by the Central Bank in 2004 GDP growth was 5.4 % and in 2005 even 5.9%. At first glance and given the extent of human and asset losses this is somewhat surprising. It is explained in part by the fact that the major industries affected, fisheries and the hotel sector, together contribute only 3% to GDP. Also, spending on relief efforts and informal transfers from abroad by families, friends and private donors had positive effects on the GDP. Therefore, in aggregate figures only a relative small sector of the national economy was affected.

However, the local economies of the Southern, Northern and Eastern regions are likely to suffer because the affected sectors are critical to the respective local economies. In addition, increased demand for building materials, contract labourers (the pre-tsunami daily wage for unskilled work was Rs. 250 and has now gone up to Rs. 350-800) and other inputs have created an inflationary effect (to the tune of 14% by the end of 2005) on the economy and are expected to do even more so in the future.

## 2.3 Reconstruction problems

The Government's two main post tsunami actions, enacting a "no build" coastal buffer zone and creating the Task Force to Rehabilitate the Nation (TAFREN) appeared to have caused major delays in reconstruction work. These will be discussed in more detail in chapters 3 and 4 respectively. Currently there are still many impediments in the reconstruction process; Government officers and NGO staff alike repeatedly highlighted the following:

- a) lack of land and unclear distribution criteria
- b) improper identification of beneficiaries and little to no participation throughout the reconstruction process
- c) political and management malpractices
- d) cumbersome Government bureaucracy
- e) lack of information available to the public
- f) no timely utilisation of foreign aid for the intended purpose and lack of transparency
- g) lack of coordination for the maximum use of aid funds.

The tsunami created additional political turmoil, although this may have occurred in any case, as the incumbent President<sup>11</sup> was struggling to hold onto power as she was approaching the end of the maximum two terms of office. By the end of the year the election of a new President<sup>12</sup> had returned a certain level of stability to the government.

## 3. Strategic objectives and policies of the Government

The Government was quick to react to the tsunami, not only in mobilising for relief, but also in deciding on a strategy for recovery. Within a week, a committee was appointed to design and implement a plan. Two weeks later, it published their first report with a budget of \$1.5 billion. Two basic principles were introduced: 'rebuilding the nation' and 'building back better'. The idea was to use the opportunity provided by the large sums of money being promised by individuals and agencies from both within the country and all round the world to accelerate the process of development in the country as a whole. President Kumaratunga said the Government would "restore not only the tsunami-affected areas, but the entire country, not only to normality, but also to improve it."<sup>13</sup> The concepts were generally accepted, but controversies emerged in the way they were put into practice, both in the structures set up and the policies adopted.

### 3.1 Structures

Former President Kumaratunga appointed, mainly from the private sector, a new extra-governmental body called Taskforce for Rebuilding the Nation (TAFREN), reporting directly to the Presidential Secretariat, to take on the job of designing, coordinating and implementing a recovery plan. This action alone created a number of serious problems. While the members may well have been efficient and effective in communicating with donors, they were criticised by most as having no idea about recovery processes and little knowledge of the situation in the affected areas or the needs and interests of the affected people.

Of the ten members of TAFREN, two were senior political ad-

9 People's Alliance, of the Sri Lanka Freedom Party, the Communist Party, the Lanka Sama Samaja Party and the Nava Sama Samaja Party

10 Janatha Vimukthi Peramuna

11 Chandrika Bandaranaike Kumaratunga

12 Mahinda Rajapaksa

13 President Kumaratunga, 20th January 2005, reported at www.news.lk

visors, two heads of national banks and the other six leaders of some of the largest corporations in the country.

They were:

- Mano Tittawela: special advisor to the President; chairman of the Strategic Enterprises Management Agency (entity operating under the President to restructure public enterprises); former chairman of Public Enterprise and Reform Commission (entity operating under the President in charge of divesting public enterprises); former chairman of the Board of Investment
- Lalith Weerathunga: secretary to the Prime Minister
- Harry Jayawardena: managing director of Stassen Group (conglomerate with major operations in tea manufacturing in the central hills of Sri Lanka, plus holdings in Aitken Spence); chairman of Aitken Spence (owner of five large beach hotels, operator in power generation and shipping infrastructure development); director of Browns Beach Hotels Limited; major shareholder of DFCC Bank
- Rajan Brito: deputy chairman and managing director of Aitken Spence (owner of five beach hotels, operator in power generation and shipping infrastructure development)
- Nihal Jinasena: managing director of Jinasena Group (operating in hotel, shopping centre construction, and in manufacturing); chairman of DFCC Bank
- Nihal Fonseka: chief executive officer of DFCC Bank
- Rohini Nanayakkara: general manager of Seylan Bank
- Mano Selvanathan: director of Carson Cumberbatch (owner of two large beach hotels and agent for two international airlines)
- Ken Balendra: former chairman of John Keells Holdings (owner of three tour operators and five beach hotels, major operator in ports, airport and infrastructure development); former chairman of Ceylon Chamber of Commerce; chairman of Brandix Lanka (one of the largest garment manufacturing companies in the country)
- Mahesh Amalean: chairman of MAS Holdings (underwear manufacturing company)

The composition of the taskforce was questioned in terms of competency, given that its remit was to plan for recovery from a disaster where the majority of affected people were involved in beach-based fishing, small-scale farming or informal industries. It was also criticised on the grounds of vested interests, as most of the businessmen were involved in the tourism industry and there were existing conflicts over use of the beaches and sea.

Ministries and state institutions that are responsible for and have experience in such development work were sidelined from planning processes, which often created conflicts with officials and even ministers, and therefore delays in implementation. Local administrations, which according to most reports responded commendably to the tsunami, despite themselves being badly affected, losing both staff and buildings, either did not receive information at all, or only very late, because existing communication channels were ignored in favour of new mechanisms that did not work well, for example email lists. Some local officials told us that they had to find information from the newspapers or from NGO field staff who received details from their head offices in Colombo. In such a situation, sustaining local initiative became very difficult.

Some attempts have been made to address the criticisms that emerged. TAFREN sent out district representatives. The Go-

vernment set up village reconstruction committees.<sup>14</sup> TAFREN launched a series of consultations throughout the affected areas. However, reports suggest that these have yet to yield any significant change in approach. None of the local officials interviewed seemed to have seen the TAFREN plans, and one said that the TAFREN representative had arrived only in early November and that he wasn't sure what he was doing. Nobody was known to have participated in the TAFREN consultations.

Finally, in November 2005, President Rajapaksa replaced TAFREN with the Reconstruction and Development Agency (RADA), which was also to take on a large part of the work of the Ministry of Relief, Rehabilitation and Reconstruction (RRR). It was to be headed by another businessman, again a close associate of the President, and it was still set to report directly to the President and to become an Authority after the passage of an Act of Parliament during 2006. However, at the time of the mission, RADA was yet to take shape.

### 3.2 Policies

TAFREN presented its first plan within 10 days of being appointed, with a budget of \$1.5 billion.<sup>15</sup> This has been revised twice, to reach a budget of \$1.8 billion in March,<sup>16</sup> and then \$2.1 billion in May.<sup>17</sup> After the Development Forum in May 2005 an announcement was made<sup>18</sup> saying that \$3.2 billion had been committed by international agencies for tsunami recovery, but no updated plan has been published.

The various iterations of the TAFREN plan present the same approach towards '[meeting] the challenges of the 21st century and [fulfilling] the dreams and aspirations of a modern society', said to be the objective of the recovery strategy.<sup>19</sup> The plans are exclusively about infrastructure: the road and railway network, harbours, the electricity grid, water supply systems, communication networks, school buildings, hospitals and so on.<sup>20</sup>

1 The largest budget item is roads, which in May accounted for \$353 million or 16% of the total financing, a figure that has been increasing by the month, from \$210 million in March and \$150 million in January. A major donor in the roads sector is the ADB, whose representative told the mission that the tsunami did almost no damage to roads in Sri Lanka, which would seem to undermine the claim made in the plans that these funds are to be used for repairs alone. In fact, the detail of the projects shows that \$38 million is to be spent on the widening of the road between Colombo and Galle from 2 to 4 lanes and \$36 million for the expansion of the road base between Galle,

14 The LTTE established what they called village development forums in areas under their control.

15 Department of National Planning: Rebuilding the Tsunami Affected Area, January 2005

16 Department of National Planning, Presidential Secretariat and TAFREN: Rebuilding Sri Lanka: Action Plan, March 2005

17 Government of Sri Lanka: Post-Tsunami Recovery and Reconstruction Strategy, May 2005

18 The Development Forum is the meeting between Government and the Bilateral and Multilateral Agencies that took place on 16<sup>th</sup> and 17<sup>th</sup> May 2005

19 Department of National Planning, Presidential Secretariat and TAFREN: Rebuilding Sri Lanka: Action Plan, March 2005

20 Figures in the following paragraphs are taken from 4 versions of the TAFREN plan: Department of National Planning: Rebuilding the Tsunami Affected Area, January 2005; Department of National Planning, Presidential Secretariat and TAFREN: Rebuilding Sri Lanka: Action Plan, March 2005; Government of Sri Lanka: Post-Tsunami Recovery and Reconstruction Strategy, May 2005; Department of National Planning and TAFREN: Rebuilding Sri Lanka, Post-Tsunami Recovery and Reconstruction Strategy, May 2005

Matara and Hambantota to 4 lanes, while another \$97 million is allocated for the widening of the road between Pottuvil and Jaffna from 1 to 2 lanes.

- 2 Railways are at \$313 million in May, or 14% of the total financing, up from \$77 million in March and fluctuating from \$190 million in January. All railways were back up and running while these projects were still said to be seeking donor support, which implies that these funds are to be used for some other purpose.
- 3 Townships range at \$250 million, or 12% of the total financing. A number of existing townships were selected to be developed as 'modern townships' or 'growth centres'. For example, in Ampara district, of ten towns affected by the tsunami, three were chosen for this treatment. This is described in more detail below
- 4 With \$205 million water supply receives 9% of total financing, up from \$190 million in March and \$150 million in January. Upon inspection of the projects to be carried out, it becomes clear that the majority of this is to be directed to the establishment of new piped water schemes rather than repairs. In Ampara district 75% of the funds are specifically earmarked for this purpose.

These allocations are justified on the basis that the principles of 'rebuilding the nation' and 'building back better' imply that finance should be directed towards 'attracting long-term private investments into these areas to promote development'.<sup>21</sup> However, no evidence of the effectiveness of this indirect recovery strategy is offered.

### 3.2.1 Remodelling the coast

The TAFREN plan was accompanied by attempts to fundamentally remodel the coast. Ideas for the development of 62 townships and 15 tourism zones emerged with little reference to the situation in the affected areas or the interests of the affected people.

As mentioned above, TAFREN set aside \$250 million for the redevelopment of selected townships along the coast. The early documents talked of 62 townships, 12 large, 20 medium-sized and 30 small, but over the months this became 15. 3 of 10 affected towns in Ampara were selected for redevelopment, as were 1 of 4 in Batticaloa, 2 of 7 in Hambantota, 2 of 6 in Matara, 3 of 13 in Galle, 2 of 9 in Trincomalee, 1 of 2 in Mullaitivu and 1 of 2 in Jaffna. It is not clear how these were chosen. Each township was to be developed according to an urban development plan to transform it into a 'modern township' or 'growth centre' that would lead to balanced development in the country. This would involve the construction of infrastructure such as administrative complexes, court buildings, stadiums, bus terminals, sewerage systems and so on. It is not clear whether such plans have been put into practice, as none of those interviewed were able to supply information on this, and no further documents have been published. In addition, TAFREN allocated \$45 million for the planning of 15 tourism zones, 1 in Ampara, 1 in Batticaloa, 1 in Trincomalee, 3 in Hambantota, 1 in Matara, 4 in Galle, 3 in Kalutara and 1 in Puttalam. When the first plan for Arugam Bay in Ampara was published, requiring an estimated investment of \$80 million, it became clear that this cost estimate was set to increase substantially. The Sri Lanka Tourist Board (SLTB) said,

"in a cruel twist of fate, nature has presented Sri Lanka with a unique opportunity, and out of this great tragedy will come a world class tourism destination."<sup>22</sup>

Each tourism zone was to be provided with 'modern infrastructure with an unencumbered view and access to the coast'.<sup>23</sup> It is not clear whether these plans are to be put into practice, as no local officials were able to give indisputable information, although several said they were aware that such plans existed at the level of central government, and in fact had existed even before the tsunami. In Ampara, as mentioned above, a full plan for the redevelopment of Arugam Bay was approved and then published in April and efforts were made to clear the area of existing buildings and inhabitants until the scheme was withdrawn due to protests of the local community in May.<sup>24</sup> In Batticaloa, the TAFREN representative said that they had very early on declared Passikuddah a 'no-go zone' because they considered it a 'golden opportunity for expanding tourism' and that people in temporary camps in the area had in December yet to be found a site for their permanent housing.

The Arugam Bay Resource Development Plan covers a stretch of land 17km by 5km.<sup>25</sup> It envisages the total reorientation of the area away from the current fishing and agricultural communities, supplemented by seasonal guesthouses, into a large development of hotels ('*low cost budget windsurfer to 5-star tourist*'),<sup>26</sup> a commercial centre ('*shoppers' paradise*'),<sup>27</sup> a yachting marina, floating plane pier and helipad. According to the plan, while only 9 out of 25,000 hectares are currently being used for tourism, this figure is set to increase exponentially through the redevelopment. In order to achieve this, SLTB is ready to acquire a stretch of land up to 1km wide running along 3km of the coast, and a belt of in places over 600m around the edge of the lagoon, plus an area of sea next to the lagoon entrance for the yachting marina and a strip across the middle of the lagoon for the floating plane landing pier. It explains that new housing for the estimated 5,000 displaced families<sup>28</sup> will be provided in five separate inland locations, in all cases behind areas zoned off for tourism, at an average of well over 1km from both the sea and the lagoon, obstructed from accessing the same by the new infrastructure.

### 3.2.2 The buffer zone

This remodelling was facilitated by perhaps the most controversial policy introduced under the banner of tsunami recovery, the enforcement of a buffer zone around the coast. President Kumaratunga announced almost immediately after the tsunami that people should not rebuild their houses on the coast. TAFREN later published an advertisement in the national newspapers demarcating a buffer zone of 100m from the sea in the west and south of the island, and 200m from the sea in the East and North, within which no houses could be repaired or rebuilt. People previously living within the buffer zone would be provided with new houses in as yet unidentified inland locations.<sup>29</sup> As to hotels, if damaged

21 Department of National Planning and TAFREN: Rebuilding Sri Lanka, Post-Tsunami Recovery and Reconstruction Strategy, May 2005

22 Sri Lanka Tourist Board Bounce Back website at [http://www.srilankatourism.org/bb\\_sre-builds.htm](http://www.srilankatourism.org/bb_sre-builds.htm)

23 TAFREN, 27th February 2005, published at [www.sundaytimes.lk](http://www.sundaytimes.lk)

24 MONLAR: Justice to Tsunami Victims, Submission to the European Parliament, July 2005

25 Rebuild Sri Lanka Trust: Arugam Bay Resource Development Plan, Reconstruction Towards Prosperity, April 2005

26 ABRDR, 25th April 2005

27 ABRDR, 25th April 2005

28 Estimate by Sewalanka Foundation, as reported in the Washington Post, 4th June 2005

29 TAFREN, 27th February 2005, published at [www.sundaytimes.lk](http://www.sundaytimes.lk)



by less than 40% they could rebuild on the same site; with more substantial damage they are to be allotted alternative land, with preferential consideration and free of charge.

The justification used was the safety of the people, with reference to the thousands who had died in their homes on the beaches during the tsunami. However, this was seriously undermined in a parallel advertisement stating that hotels would be allowed to remain and even continue building within the buffer zone. The decision was subject to widespread opposition and became an object of party political games during the protracted election campaign, during which the Government announced that exceptions were to be made in some areas, although only upon application to the authorities for a permit, who would decide according to 'national interest'. The details of the revision remained unclear to almost all those interviewed, even several months after the announcement. Most people interviewed blamed the buffer zone and then later the uncertainty over its revision for the slow progress in resettlement. Donors struggled to identify alternative land and people were sometimes unwilling to shift, particularly when it started to seem possible that they might eventually be allowed to resettle in their original areas.

### 3.2.3 Transforming livelihoods

Infrastructure also provided TAFREN's answer to the restoration of livelihoods. In the case of fisheries, the focus was on harbours, anchorages and onshore facilities, boats and nets, accompanied by some cash transfers. Apart from the replacement of craft, which was to be done on a one-to-one basis, the vast majority of the fisheries budget was in support of harbour-based multi-day boats, away from the preponderance of beach-based craft. This included the repair and further development of 12 fisheries harbours and 25 anchorages, with new onshore facilities such as ice plants. Local officials in Batticaloa reported that the policy was to replace the beach-based craft of licensed fishermen, while purchasing new harbour-based, multi-day boats to employ the unlicensed fishermen.

### 3.2.4 Division of labour

An increasingly clear division of labour appeared over the months. While the early documents assumed that the Government would take responsibility for the whole of the recovery process, by mid-year with the Development Forum it had been decided to shift most of the short- and some of the medium-term actions over to the NGOs („the development of community housing, settlements and livelihood support and the rehabilitation and reconstruction of schools and hospitals”) and retain only the long-term projects under the Government using bilateral and multilateral aid (“large infrastructure projects such as constructing townships, roads, fisheries harbours and administrative infrastructure”) which, as shown above, made up the major part of the recovery strategy.<sup>30</sup>

Two main objections emerged to this decision. First, that many essential elements of the recovery process were left without any overall strategic direction. Secondly, that the short- and medium-term actions became disconnected from, and sometimes in contradiction to the long-term plans. Several examples were given,

such as in Batticaloa, where officials told that the policy decided upon for the recovery of the fisheries sector had been completely undermined by the lack of concern for long-term impact and strategic direction exhibited by most NGOs, together with the lack of coordination between NGOs, had led to a situation where more craft of all types had been replaced than were lost, and there was an increased problem of sustainability for the sector.

### 3.2.5 Pushing through other projects

In addition to the TAFREN plans described above, the tsunami recovery was referred to in justification for the advancement of other projects that had earlier been blocked due to popular opposition. President Kumaratunga made stirring speeches about the need to advance other big infrastructure projects, such as the construction of the first motorway from Colombo to Matara, delayed by protests and legal challenges since 2001, the privatisation of the major phosphate deposit at Eppawela, blocked by the Supreme Court in 2000, the construction of a coal power plant at Norochcholai, blocked by the Court of Appeal in 2001, and the construction of a major port at Hambantota, on hold since 2001.<sup>31</sup>

These projects were all pushed through during 2005. According to local reports, where there had previously been opposition, threats backed up by armed police were used to intimidate people.<sup>32</sup>

## 4. Influence and actions of multilateral and bilateral agencies

Sri Lanka has a large debt burden and for some years has depended heavily on foreign financing to make the interest payments, which in 2003 amounted to Rs.125bn, that is 30% of total government expenditure for the year, the single largest component of the budget, more than all the money spent on the social services of education, health, welfare, housing and community services put together.<sup>33</sup> The outstanding debt, which in 2003 reached Rs.1,900bn, or 106% of GDP, is still on the increase<sup>34</sup>. As a result, bilateral and especially multilateral agencies have acquired considerable influence over the Government. At the head of this have been the International Monetary Fund, the World Bank and the Asian Development Bank, who together with the Government of Japan regularly provide about 90% of concessional finance to Sri Lanka. The tsunami saw all these agencies step in.

### 4.1 International Monetary Fund, World Bank and Asian Development Bank

The World Bank and ADB carried out a joint damage and needs assessment with the Government of Japan, concluding that asset losses amounted to around \$1 billion, i.e. 24% of GDP, while the medium-term financing needs including immediate relief would come to around \$1.5 – 1.6 billion, i.e. 7.5% of GDP.<sup>35</sup> The World

31 President Kumaratunga, 19th May 2005, reported on [www.ColomboPage.com](http://www.ColomboPage.com)

32 Joint Organisation of the Affected Communities on Colombo-Matara Highway: Report, February 2005

33 Central Bank of Sri Lanka Annual Report 2004

34 *ibid*

35 Joint Damage and Needs Assessment, February 2005

Bank looked into education, health and housing and the ADB to transport, while the Government of Japan took responsibility for power and water supply. The financial response from the agencies was small. The IMF agreed to postpone repayment of previous loans; the Government was due to pay back around \$114 million in 2005. It also approved the issue of an emergency loan of \$157.5 million.<sup>36</sup> The World Bank gave a grant of \$30 million and a loan of \$45 million for a programme to provide finance for housing development, to rebuild roads and water supply infrastructure, and to make available funds for cash transfers, cash-for-work programmes and cash injections for small businesses.<sup>37</sup> It also reassigned a total of \$75 million from existing development projects.

The ADB agreed a grant of \$150 million and accompanying loan for \$7 million for a programme to rebuild roads, water supply and sanitation facilities and provide funds for livelihood support and coastal protection.<sup>38</sup> It also added a grant of \$14 million and a loan of \$26 million to its existing rehabilitation project in the North and East.<sup>39</sup> Meanwhile, their policy interventions continued unabated. In 2005, the IMF was pushing for further reductions in compensation given to sacked workers, following on from previous work in which they had managed to persuade the government to implement a compensation formula to make it easier for companies to lay staff off. The IMF was also pressing for the privatisation of the remaining state banks.

The World Bank was insisting on the removal of legal provisions preventing small farmers from losing their land when they fall into debt, a common phenomenon when the cost of production of the major food crop, paddy, often reaches above the price farmers can get at market. The intention is to facilitate the accumulation of land into larger holdings for mechanised agriculture while encouraging the migration of people from countryside to cities. The World Bank was also encouraging the entry of private institutions in the health and education sectors as alternatives to public services. It was also working to reduce the number of beneficiaries of the state welfare system and cutting the numbers employed in the civil service.

The ADB was insisting on the breaking up and commercialisation of the state electricity board as the next step in the process of privatisation. It was also pushing for the passage of a national water policy and bill allowing the introduction of concepts such as tradable water rights. The agencies were also pressing the Government to present a new Poverty Reduction Strategy, after the original, 'Regaining Sri Lanka' approved in 2003, had been removed from the agenda after the defeat of the UNP Government at the elections in 2004.

## 4.2 European Union

The Commission of the European Union responded to the calls for help of Sri Lanka with

- 33 million Euro for immediate humanitarian aid through ECHO (food, food and cash for work for basic infrastructure, drinking water and sanitation, transitional shelter, income generation and livelihood activities, psychosocial assistance for teachers, school children, government officials and aid workers, camp management and training)
- a programme of 95 million Euro in July 2005 for rehabilitation

36 IMF press releases 13th January 2005 and 4th March 2005

37 MOF, ERD figures from 10/27/2005

38 Tsunami Affected Areas Rebuilding Project – TAARP

39 North East Community Restoration and Development Project II – NECORD II

and reconstruction, released in two tranches of 55 million in 2005 and the rest in 2006. Originally, it was planned to contribute 55 million Euros to the Multi Donor Trust Fund initiated by the World Bank and conditional on an agreement regarding the P-TOMS. With the failure of the P-TOMS the EU channelled the remaining 40 million Euro into the reconstruction of a section of the Matara – Batticaloa road, "the vital link to tsunami affected areas in the South and South East"<sup>40</sup>

- starting in July 1, 2005 a 90% waiver of all taxes and quotas on Sri Lankan exports into the European Union within the 'APS-System' of the EU

## 4.3 Federal Republic of Germany

### 4.3.1 Tsunami response

When the tsunami struck the coastal belt of Sri Lanka the German Government reacted immediately by mobilising its existing support structure, which was implementing GTZ projects and programmes and KfW financial support. Because GTZ had already been active in the North and East, partly since 1996, as well as in the South, it could start 'on the spot' in its intervention areas, helping to eliminate the remains and debris of houses and to clean the roads for emergency transport through cash for work and food for work programmes.

German ODA was implemented in three phases:

- **Phase 1 (relief)** was characterized by support of the provinces of Jaffna, Trincomalee, Batticaloa, Hambantota in the areas of needs assessments, supply of drinking water, cleaning of wells, food and medical supply, supply of basic infrastructure for five transitional camps (for 3000 families), technical and management support for the communities, etc.
- **Phase 2 (recovery)**: After the period of immediate relief support GTZ helped organising the recovery through technical support of the local governments in the rehabilitation of infrastructure and planning/coordination, establishing of fitting yards for building materials as well as supporting the people in psychosocial treatment, and reorganising their lives. All activities were executed on the basis of the "do-no-harm" principle and the "development-oriented Relief and Recovery" approach of GTZ. Furthermore, they were integrated into the policy of the Government of "Rebuilding the Nation" and (later) "Building Back Better" as well as the donor coordination policy on national and regional level.
- **Phase 3 (reconstruction)** was guided by the principles of the German Government for the reconstruction phase such as
  - avoiding disparities (ethnic, regional)
  - conflict sensitivity in planning and implementation
  - participation of affected population, particularly women, in planning and implementation
  - capacity building
  - strengthening civil society
  - support of sustainable development through a balance of ecological, social, economical aspects
  - coordination with other donors (and the Government) at all levels.<sup>41</sup>

During the International Development Forum in May 2005 all

40 [http://europa.eu.int/comm/world/tsunami/1\\_year\\_after/best\\_stories/sri\\_lanka.htm](http://europa.eu.int/comm/world/tsunami/1_year_after/best_stories/sri_lanka.htm)

41 BMZ-Spezial, 132, Sept.2005, p.10

donors discussed the Reconstruction Plan of the Government and how best to contribute. The NGO sector was represented by the Consortium of Humanitarian Agencies (CHA) and several private research institutes.

The German Government agreed to a grant of about 110 million Euros as 'special Tsunami fund', on a 2 years basis. All projects and programmes, which were negotiated during the Special Bilateral Negotiations in May 2005, were integrated into the ongoing development programme of technical and financial cooperation (TC and FC) within the focal areas of cooperation. These were mainly:

- water and energy supply (TC/FC)
- support of housing and livelihood (TC/FC)
- qualification of local executing structures
- rehabilitation and modernisation of vocational training institutions
- promotion of micro, small and medium enterprises (with a focus on women)
- psycho-social care
- school-based disaster risk management
- rehabilitation of economic, physical and social infrastructure (TC/FC)

In addition to the country programme, the German Government supports

- the early warning system (45 million Euro) for the region
- German and international humanitarian agencies
- German NGOs, political foundations, church development organisations
- EU/ECHO and World Bank/ADB/IMF as well as UNDP/ UNHCR and other UN organisations with various contributions.

Germany was ready to contribute to the Sri Lanka Tsunami Reconstruction Fund initiated by the World Bank linked to the P-TOMS. Due to the failure of the P-TOMS and the re-escalation of the 'no peace no war' situation, the German Government cancelled its contribution.

### 4.3.2 The wholistic approach

German ODA has adopted programmatically the a so-called wholistic approach which seeks to create intersectoral linkages and to combine the technical aspects of bilateral aid with participation mechanism. Regarding tsunami aid applying the wholistic approach also meant not only targeting tsunami affected people, but also war affected and other poor families, who were not directly affected by the tsunami, but need similar support to reintegrate themselves in new settlements. The interventions in Trincomalee and Batticaloa may serve as cases in point.

In Trincomalee the German Government had started its contribution through GTZ in 1998 with an 'Integrated Food Security Programme' (IFSP) for conflict transformation in both areas: the Government controlled and the so-called uncleared areas of the district of Trincomalee. The focus was not only on food security, but aid could cover further areas in line with the needs and wishes of the villagers in vulnerable areas such as small credit systems, SME, water supply, small irrigation systems etc. The villagers who had been displaced several times during the war and had returned into their areas attended themselves to reconstruction work, supported by professionals from the project and from local government.

After the Cease Fire Agreement (CFA) in 2002, GTZ supported the NECORD programme for the rehabilitation of the North East Province within the Relief, Rehabilitation and Reconciliation Programme of the Government. It assisted the programme and the provincial Government in planning and implementing according to the needs on local levels, which were coordinated on district level. Thus, administrative experience with reconstruction work through local governments had been acquired even before the tsunami. When the tsunami destroyed the coastal belt of the East, GTZ was asked by the provincial council for immediate support and, because of the 'invasion of the helpers', for qualification of the executing structures of the local and regional administration to manage the huge task of coordination.

In Batticaloa, the Food Security and Conflict Transformation Programme (FSCT) had only started in November 2004. When the tsunami struck the German team was asked not only to help with emergency assistance but also with the rehabilitation of the economic, physical and social infrastructure and with coordination. One of the first tasks consisted of supporting the Government Agent (GA) with organising the coordination of the relief and recovery programme of the district of Batticaloa through the establishment of 12 task forces. Each task force was coordinated by a twin team of one Government official and one representative of an international donor, UN or INGO. GTZ e.g. took over two coordinating task forces for housing and shelter and for livelihood with all donors, NGOs and INGOs asked to participate. This structure still functioned more or less satisfactorily at the time of the mission. According to the Government Agent, organisations unwilling to participate in the coordination mechanism were asked to leave the district.

As regards resettlement, legal issues have to be clarified and, in line with the agreed upon division of labour, infrastructure is to be provided by the Government. Once building sites are identified GTZ staff builds houses together with the people without contractor, in self help groups. Technical support comes from GTZ or the National Houses Development Authority. Skills training is provided under supervision, on the job. The target is to train 2000 young men and women.

At present the situation in Batticaloa is characterised by the following features:

- Up to December 2005 nearly all affected families still live in camps, including 20.000 war affected. 700 houses are still under construction.
- Each camp has its 'god father' and is governed by a donor-fashioned structure. CARE or IOM e.g. operate on the basis of the organisational patterns specific to the organisation. OXFAM in turn operates through local NGOs and CBOs, CARITAS through its local structure.
- Participative mechanisms do not exist in the camps, self-appointed 'speakers' predominate
- Insecurity of communities in mixed ethnic areas persists. Some are leaving the camps in the evening and sleep with relatives.
- Problems regarding land titles originate not only from the scarcity of land but also from conflicts between ownership rights based on customary laws and the rules set by Government. Certificates are mainly given to the male head of household rather than to wife or widow who in Moslem and Tamil areas enjoys traditional rights.
- The target of 15.000 houses required is impossible to meet in the absence of district-based professional urban planners and proper planning mechanisms.

- On the other hand, for the next 2 to 3 years Batticaloa will experience a boom in construction and, as a consequence, substantially increased earning opportunities with salaries doubled and tripled.

## 5. Perspectives and strategies of INGOs, NGOs and CBOs

The data on NGOs and INGOs vary greatly. They range from altogether 6,000<sup>42</sup> (Asia Focus 20: 59) to over 3,000 new local NGOs having applied for registration<sup>43</sup> and over 2,000 actually registered (GTZ). Due to administrative bottlenecks many were permitted to commence their activities even without registration. In the first weeks alone 320 new local NGOs sprang up (Oxfam) and the number of INGOs offering support to tsunami victims jumped from 50 to 150,<sup>44</sup> the majority of them US-based. As the figures suggest, local civil society groups set themselves up, reinvented themselves or were quickly founded by INGOs themselves as dispensers of relief, with CBOs frequently acting as a conduit to the people in need, local NGOs in the function of implementers and the INGOs as primary financier of aid.

### 5.1 Relationship between INGOs and local NGOs

On the positive side, the requirements coming with foreign funding in terms of inner-organisational governance, adequate management information system, transparency and accountability posed a challenge to local NGOs, which, in the long run, may well, have strengthening effects. However, on the whole it did not take long for the relationship between local and international NGOs to become strained. Local NGOs bemoan the lack of sensitivity and knowledge of INGOs. Most had no previous history in Sri Lanka, vague if any notions of the conflict structures in the tsunami affected Northern and Eastern regions and ill-fitting weak state-assumptions carried over from their mostly African experience. They held little respect for local governmental and civil society structures and made even less effort to attune to local mores and preferences. Meetings were held in English and served little more than the raw exchange of information and delineation of intervention areas. Local government structures were partly deliberately sidelined, partly its personnel bowed to the financial weight of the INGOs. Staff of local NGOs (at times the organisation altogether) and local government was siphoned into INGO offices by salaries exceeding given rates by up to ten times. Salaries and facilities brought into the country by INGOs by far surpassed local rates arousing jealousy and resentment with government officers and well as with NGOs. Not only did this force local NGOs to substantially upgrade their salary offers in order to retain their staff, but many felt, much of original commitment was lost to a well paid job.

Local NGOs were becoming painfully aware of the inherent process of disempowerment. The term 'soft colonization' was coined; some local NGOs even accused the INGOs of all out imperialism. However, it has to be added, if overpowering occurred, it did not do so in any concerted fashion. On the contrary, it could well be argued that the potential clout, which the INGO were invested

with through the outpouring of donations to them, went to waste and was not used as leverage with Government. With less competition and less urgency of profiling the civil society advocacy role INGOs and NGOs attribute themselves with could have been acted out much stronger.

### 5.2 Participation and coordination

In contrast to the programmatic self-projection of civil society organisations as being committed to participation, numerous factors conspired to the contrary. Donations, in most OECD countries by law earmarked for specific purposes, enforced absorption-centred processes and centralised INGO structures left little room for local consultation and adjustments. The haphazardness of contacts and the variety of criteria did not allow for much transparency. An inordinate amount of resources running under the heading of tsunami aid in actual fact was felt to be channelled into new offices, transport and well-paid staff. Participatory needs assessments, longer term development and peace-building considerations gave way to what was constructed as undisputable imperatives of immediate life and livelihood support. New local and particularly new INGO's, in their quest to put themselves on the map, competed for access to victims and were quite unwilling to engage in consultation and coordination, thereby turning citizens in distress into beneficiaries. Rather than taking it as a point of departure, the active role temples and mosques played right after the tsunami in the organisation and provision of immediate aid was quite effectively obliterated. All of this fuelled what is now recognized as a most unfortunate dependency culture.

As to the gender balance of participation, in the immediate aftermath of the disaster women formed groups and took charge of camp affairs, but the reconstruction process left very little room for their participation. In most of the village development committees set up by the fishermen's union decision making rests with the men. As a consequence, women feel sidelined and discriminated against. Also, most of the local NGOs undertaking reconstruction work are male-dominated and, given cultural sensitivities, INGOs cannot easily address women's issues. Women's organisations engaged in awareness building and lobbying find it difficult to identify their place in reconstruction work.

All of the 'year after'-reports, the official ones included, do in fact underline the absence of participation, referring specifically to the absence of beneficiary consultation mechanisms and the sketchy and inconsistent information on entitlements available to the tsunami affected people. The void is recognised as being in glaring contradiction to the professed standards of RRR and less justifiable by each further day away from immediate emergency demands. Furthermore, most point to the inordinate degree of centralisation at the same time that no plan was in place that would provide guidance as to the roles and responsibilities on the various levels of governmental administration as well as of civil society organisations.

The systematic disconnect between central levels and those from provincial governments downwards was aggravated by a further disconnect on the central level itself between the regular government apparatus and the newly set up extra-administrative body of TAFREN, each with its own constituency. The fact that INGOs liased with TAFREN rather than interacting with regional and local government structures and similarly related to the Consortium of Humanitarian Agencies (CHA), the umbrella organisation of NGOs engaged in humanitarian activities, as a substitute for

42 Asia Focus 20: 599

43 Herman Kumara in SAMUDRA Report 40, 4/2005: 26

44 Ibid

engagement with local civil society aggravated the strong drift to centralisation. As a consequence, there was virtually no structure that could coordinate with any authority the competing multitude of aid actors with their divergent sets of criteria and conditions. The effects of this void were vividly described in nearly all of the discussions the mission held. Tsunami survivors and local administration alike cited numerous examples of vast discrepancies in relief aid and a resultant sense of injustice.

Most of the reports strongly recommend greatly intensified participation of the beneficiaries. The NGO community is increasingly facing the fact that its mechanisms, procedures and ways of going about in many ways mirrored and complemented the top down approach of Government, and it discusses more participatory approaches, particularly at a time when recovery and reconstruction are on the agenda. This no doubt would constitute a great improvement and a step forward to a less victim-based approach guided by the objective of (re-)empowering the deprived. However, and this is raised by a growing number of NGOs, the beneficiary focus leaves too little room for a debate on underlying strategic issues. The silence of Government and TAFREN alike on the place the poorer citizens of the country - most of them previously making an income in the informal sector and presently displaced by the tsunami and the buffer zone - will find in the design of a Sri Lanka *Build Back Better* is disconcerting. It begs the question of a development strategy that is indeed people-oriented and incorporates citizen's participation in the debate on the strategies pursued.

## 6. The tsunami, reconstruction, and the peace process

*Whatever it may be indicative of, the civil strife in Sri Lanka was the one topic on which the team could not come up with a consensual opinion. Therefore, in its present form, this chapter is the result of a compromise with some aspects remaining disputed. These are listed at the end of the chapter.*

While more than two thirds of Sri Lanka's coastal area suffered from the tsunami, it was the North and East that was once more in the centre of the disaster. The plight of the population of the North and East which had already suffered for more than 22 years from the civil war, both in terms of human costs (over 60.000 casualties) and material damages, and was aggravated by the tsunami. There were already around 180,000 war refugees with more than 100.000 people, living as IDPs in relief camps, and others with relatives or friends.<sup>45</sup> Housing to the tune of more than 55,000 units was urgently required<sup>46</sup>, social infrastructure such as schools, hospitals and the like was destroyed or neglected.

After the cease fire the 'RRR' (Relief, rehabilitation, Reconstruction) process, with the support of bi- and multilateral and non-governmental assistance, could gain momentum. It remained a tenuous process though, just as the reconstruction process after the tsunami was complicated by the ongoing conflict. All sides wished to benefit from the influx of resources, many, certainly the donor community, hoped for the disaster and disaster response to make for a "window of opportunity", not only for a smoother process of relief, rehabilitation and reconstruction but also for the peace process itself.

<sup>45</sup> ADB, JBIC, World Bank: Preliminary Damage and Needs Assessment, January 2005

<sup>46</sup> Government of Sri Lanka: Post-Tsunami Recovery and Reconstruction Strategy, May 2005

## 6.1 Political situation and peace process before the tsunami

The Cease Fire Agreement (CFA) of February 2002, signed after the UNP under Ranil Wickramasinghe had won the parliamentary elections of December 2001, has been a mile-stone for the peace process. Both sides stopped the military option immediately (at Christmas 2001) to give priority to talks. The Norwegian Government facilitating a new round of peace negotiations on neutral terrain. On both sides the main objective was to find a solution for or the North-East-Province on the basis of a federal state with an Interim Self-Governing Authority (ISGA) as a mid-term step. The final decision should be moulded into a new constitution and made subject to a referendum. A joint Sri Lanka Monitoring Mission (SLMM) was created to monitor violations of the CFA. The Government committed itself to disarming Tamil paramilitary forces, while the LTTE promised to transform its military organisation into a political one. The LTTE also agreed to demilitarisation after a peace agreement. Both sides agreed to allow other parties into their areas (for CFA see Annex 3).

As it turned out, the CFA saw numerous violations.<sup>47</sup> In April 2003, due to irreconcilable differences in the concept of a federal state, negotiations grinded to a halt altogether. The UNP opted for devolution, the LTTE for two nearly autonomous administrative areas within one state. The Government now came under pressure from various sides:

- a) the President had not been directly involved in the negotiations and feared the peace dividend would be accredited to the Government, and the UNP concept would jeopardise the interests of the Sinhala majority
- b) the Sinhala parties, specifically JVP and JHU, and the Buddhist clergy refused categorically power sharing with the Tamils or other minorities (Muslims)
- c) the Muslim parties demanded their own representation within a federal system.

In the power struggle between the UNP-Government and the President, representing the SLFP in opposition, the President, based on her constitutional rights, took over the key ministries of the interior, defence, and media. In November 2003 she suspended parliament. In order to pre-empt a vote of no-confidence in February 2004 she decided to dissolve parliament and proclaimed parliamentary elections in April 2004. A coalition of SLFP and JVP, called United Peoples Freedom Alliance (UPFA), continued in government. The JVP adamantly refused negotiations with the LTTE. At the eve of the tsunami there was a "no war no peace" situation with both sides seeking to strengthen their position.

## 6.2 The failure of the P-TOMS

The spontaneous inter-ethnic humanitarian solidarity of the people at local level and the massive international response to the disaster encouraged the two parties to concentrate their energies on tsunami recovery. The cooperation of the first few days increased the levels of trust. It consolidated to an extent

<sup>47</sup> By December the official count of the SLMM ran up to 121 violations on the part of Government and 2,953 by the LTTE. One year later, another 41 and 565 incidents respectively were confirmed. (SLMM). See Summary of recorded complaints and violations from all districts, Sri Lanka Monitoring Mission, January 2006

with the cooperative coordination of the recovery programme in district committees. Both parties were ready to engage in direct negotiations on a Joint Mechanism to govern the distribution of international aid. Apart from testing the grounds for the possibility of reaching a negotiated settlement, both sides had strategic reasons for doing so.

The Government followed a dual strategy. With the creation of a national tsunami RRR programme to be implemented country-wide through local administrative structures, it pursued a highly centralized policy. At the same time it sought to ensure cooperation with the LTTE for direct implementation in the areas under LTTE control. In so doing the Government could hope to meet the demands of major donors (ADB, JAPAN, EU) regarding a Joint Mechanism as a first step towards a permanent mechanism of resource distribution within a federal system. By the same token, it could avoid that donors interact directly with the LTTE, thereby bestowing increased legitimacy on the LTTE.

The LTTE in turn tried to use the Joint Mechanism as a means to ensure effective RRR assistance in the North East Province and, by extension, to overcome the legal reservations of the Government and the international community. The recognition of the LTTE on the part of the Government as sole negotiating partner for North and East and the implicit strengthening of its legitimacy for the demanded Interim Self Governing Authority was all the more important to the LTTE as it was still listed by important donors (USA, Great Britain, Australia) as a “terrorist group” and a non-state entity. Due to this it faced serious constraints in obtaining direct international aid for the areas under its control.

Both sides professed to fully embrace the interests of the Muslim community as the third important group within the administrative structure of the Joint Mechanism or Post-Tsunami Management Structure (P-TOMS). The Memorandum of Understanding (MoU) governing the P-TOMS was signed by the Government and the LTTE in June 2005 (for MoU see Annex 4). The P-TOMS was projected for a period of one year with a possible extension, provided both parties so agreed. It was to plan, implement and coordinate tsunami rehabilitation in Ampara, Batticaloa, Trincomalee, Mullaitivu, Jaffna and Kilinochchi districts. To that effect different types of committees were to be set up.

- A high-level committee, consisting of one representative of Government, one of the LTTE and one from the Muslim parties, which would agree policies and oversee the process. It was to be based in Colombo and come to decisions by consensus
- A regional committee, consisting of two representatives of Government (one of which would serve as Deputy Chairperson), five representatives of the LTTE (one of which would serve as Chairperson) and three nominated by Muslim parties (one of which would serve as Deputy Chairperson), which would develop implementation strategies, approve and manage projects and manage funds. It was to be based in Kilinochchi and make decisions by simple majority, with the Chairperson exercising a casting vote in cases of stalemate. Appeals would require two-thirds majority, or seven members
- Six district committees, already functioning with unspecified representation, which would assess needs and make recommendations to the regional committee.

Major opposition came from Muslim parties who felt that Muslim communities constituted the majority of the tsunami affected people in the six districts, and Muslim parties did not wish to be subject to the rule of the LTTE. This applied not only to areas

under their military dominance but also to areas controlled by the Government. It was also strongly opposed by the JVP who resigned from the Government, and by the JHU, both arguing that the proposed structure gave undue recognition to the LTTE. They further objected on the grounds that it would constitute a decisive step towards an Interim Administration as set out in the LTTE’s ISGA proposal, which had earlier been rejected by the Government. Finally, human rights organisations and the National Peace Council of Sri Lanka criticised the agreement for not giving sufficient consideration to human rights issues.

In June 2005 the P-TOMS was abandoned after being ruled unconstitutional by the Supreme Court. Meanwhile, disbursement of funds for tsunami rehabilitation continued via the Government Agents in all six districts under the control of the LTTE.

During the last months of 2005 the P-TOMS process was accompanied by increasing violence from various sides in the course of which political leaders, army officers and alleged informants, members of Tamil political parties and paramilitary groups were killed. The violence culminated in the assassination of the Foreign Minister Lakshman Kadirgamar on August 12, 2005. In the course of these events for all practical purposes the peace process lost out and gave way to a kind of low intensity war.

### 6.3 The Presidential elections of November 2005

The electoral campaign leading to the Presidential elections of November 17th 2005 focussed on the conflict and on its solution, i.e. a federal or a unitary system. The LTTE declared that the Tamil population did not feel represented in either solution and that the new President could only represent the Sinhala nation. A rollback to a separate state solution appeared to be imminent.<sup>48</sup> Mahinda Rajapakse, a representative of the middle class bourgeoisie of the South, had won the elections with Sinhala nationalist slogans and based on the support of the JVP and the Buddhist Nationalist Party, JHU, both militated against any form of power sharing with the ethnic minorities. Therefore the first announcements of Rajapakse after the election did not come as a surprise:

- the Cease Fire Agreement should be reviewed
- the P-TOMS agreement was rejected as being without relevance to a unitary i.e. centralised state
- the federalist concept of a state, favoured by the UNP and Rajapakse’s own party, SLFP, as well as by the former President Chandrika was removed from the agenda. At the same time Rajapakse signed Amendment 13 with a one year extension of the merger of the North East Province, which was a sine qua non-condition for the LTTE
- military leadership was renewed, and the military budget exploded from \$600 to \$1 bio in 2006
- negotiations were discontinued not only with the LTTE, but with all other stakeholders in the national question
- on international level Rajapakse wanted to rely less on the West but rather on the Asian countries. The role of Norway as facilitator was put into question, with India, China and Russia intended to acquire a stronger role in the peace process.

The LTTE in turn, in a speech of their leader at Heroes Day (27.11.2005), reacted by explaining to the public and especially to the international community why they had opposed to take part in

48 See speech of Prabhakaran on November 27th 2005)

the elections and what they expected from the new President. In his analysis, Prabhakaran put the failure of the P-TOMS into the long line of disappointments during the various negotiations since the 80ies. For him this was only another attempt to camouflage the unwillingness of the Sinhala majority to actually share power with the Tamils and agree to some form of self-determination of the Tamil community. However, for the time being the new President's action would be carefully observed.

At the end of the year 2005 both sides once again continued to strengthen their camp.

## 6.4 The situation in the North and East one year after the tsunami

One year after the tsunami, the conflict situation can be characterised as a lost opportunity, but also as clarification of the conflict lines. Both conflict parties have reinforced their positions through confrontation. The new President can count on the Sinhala majority and the army stands firmly behind him. The stand-off between the President and the Prime Minister has ceased to exist. The failure of the P-TOMS as an opening for the peace process was perceived by many Tamils, even those highly critical of the LTTE, as "a proof that the Sinhalese majority will never accept any form of power sharing."<sup>49</sup> That gives the LTTE new support.

On the other hand, as the results of the elections have shown, both the Sinhala and the Tamil communities are highly divided. Apart from the "Mahinda-faction" and the SLFP, the JVP and the JHU, there is the modern business community with the UNP as main political party of the Sinhala community, who wants to modernise the country and integrate it more into the globalized economy. They want and need peace for investments and economic and political stability and they enjoy the support of the international donor community.

On the Tamil side, there is a further divide between the LTTE as the dominant force cooperating with the TNA (Tamil National Alliance) as parliamentary wing and different Tamil political groups such as EPDP and PLOTE, but also the "Karuna faction" in the East. The LTTE has established the semblance of a state in the Vanni (North). To enter that 'state', visa have to be applied for, an 'official' border has to be crossed, and 'taxes' have to be paid upon entry. Tamil flag, Tamil uniforms, a capital (Kilinochchi), an administration are to serve as symbols of authority. Outside of the Vanni, within the North-Eastern Province under LTTE control, are the 'autonomous areas' in the East which the Government refers to as 'uncleared areas' and which can be passed through without any formalities. Predominantly in the East the Muslims community has its own representatives and political parties in parliament and on local levels. They continue to suffer from the long years of war and feel neglected from both sides.

Contentious issues and aspects felt to be missing

- *the symbols of statehood in the Vanni are – not – sufficiently in evidence to be taken seriously*
- *the civil society organisations with whom intervening agencies interact can – not – be presumed to actually represent the people*
- *the extent of unrecorded human rights violations of the LTTE is not mentioned*
- *The political agenda and actions of M. Rajapakse after his victory at the polls is presented in biased fashion*

- *In a situation of a twofold humanitarian crisis caused by civil war and by the tsunami, the agenda of economic development pushed by international multi- and bilateral donors, which is informing the peace process, generates even more harm*
- *The 'peace industry' has essentially been created by foreign funding and is completely disconnected from what one might describe as civil society.*

## 7. Situation of the affected people

### 7.1 War effects

The geographic impact of the tsunami was uneven. The Northern and Eastern regions were particularly hard hit, accounting for two-thirds of deaths and almost 60% of displacements. In the North and East the severity of the tsunami disaster is multifaceted given the fact that the province had already 360,000<sup>50</sup> war affected IDPs living in temporary shelters or with family and friends: Many of these war affected IDPs had to flee several times and ended up living permanently in shabby "welfare centers" and temporary homes for over 20 years. Tamils displaced from Government declared high security zones and war areas and Muslims forced out from rebel-held areas are the two major groups that need better security arrangements before returning. Although the ceasefire to some extent facilitated the return of these IDPs to their former homes, new problems have inevitably arisen. Many IDPs have returned to their former homes to find them either occupied by other people or destroyed due to the conflict. Often it is too dangerous to return to former homes or land since they may be located in "un-cleared" (mined) areas.

Many local development workers expressed their concern over the one-sided focus on tsunami IDPs, and they feared that the war affected IDPs have been relegated to secondary importance. Some of the projects focussing on war affected IDPs were interrupted for the first few months of tsunami relief.<sup>51</sup> Disparity in aid provision for different IDP populations has already given rise to social tension, which could easily intensify if aid is not distributed more evenly. The report of the Office for the Coordination of Humanitarian Affairs (OCHA) indicates that differential treatment of war affected IDPs and tsunami IDPs, especially with regard to shelter, water and sanitation sectors, was indeed occurring.<sup>52</sup>

Tsunami victims were promised permanent housing on government land if their house had been located in the buffer zone, while the relocation of war affected IDPs remains pending for over two decades. This particularly applies to Tamils who have been displaced from the high security zone and the Muslims who were forced out from the North. Some donors are now pursuing an integrated approach and divert part of the tsunami aid to war affected IDPs. Most of them stated that they are supporting war affected people as well in the tsunami affected districts. However, the districts of Mannar, Vavunia and Puttalam with a large war affected IDP population, but not affected by the tsunami, receive no such assistance. There is also growing tension and anger expressed by people who suffered from previous disasters (flood and typhoon) and those suffering from chronic poverty. In addition, the outpouring of overseas' assistance and sympathy extended exclusively to tsunami victims has made other vulnerable groups feel totally neglected.

49 Schell-Faucon in: A new Dynamic for Peace: p.12

50 Semua Bhatt, Devka Mistry, The Cost of the Conflict in Sri Lanka, 2006

51 WFP, Progress Report, August 2005

52 OCHA, April 2005

Generally, expectations had dramatically increased when the immediate response of the international community promised massive assistance to tsunami victims and to the country as a whole in the form of aid flows and debt relief. The affected people felt very optimistic about their future and set high standards for their post-tsunami living conditions. The Government, on the other hand, set deadlines impossible to meet, e.g. completion of 97,000 permanent houses in two years' time. In actual fact, in 2005 about 5,000 houses have been constructed. Thus great optimism and grand promises are now playing a significant role in how affected people view the progress at ground level. They initially believed their basic assets and livelihood means would be replaced within a year's time. The current slow progress has created a high degree of tension in the communities, particularly when real or perceived tsunami entitlements are withheld, reduced, delayed or withdrawn. There is also tension as a result of the perception of favouritism by Government officials in the distribution of assistance.

## 7.2 Housing and Settlement

The stipulation of the buffer zone necessitated the implementation of two separate housing programmes for affected families: a homeowner-driven housing programme for partially and fully damaged houses outside the buffer zone with a maximum financial support of Rs. 250,000 on the part of the Government (IDPs received only Rs 170,000 for new housing) and a NGO/donor-driven programme for people who had lived within the buffer zone and were now relocated to new housing schemes. The different schemes were fraught with problems. Participants of the homeowner programme living outside of the buffer zone had no property rights to clarify and usually could start to attend to their housing needs in much quicker pace and on their own initiative. Recipients of donor-driven housing would find accommodation with relatives and friends or stay in temporary shelter while waiting to be accorded new housing, generally without a participative say in the matter.

Numerous problems with the provision of housing could be observed in all affected areas. Most NGOs with a background in emergency and humanitarian aid might be proficient in setting up temporary shelter but had little experience in providing for permanent housing. The Government failed to formulate building standards and attribution criteria. As a consequence, the mission saw highly diverging housing schemes, oftentimes much too far away from the coast as to pursue the previous fishery trade. Identifying available land and acquiring it proved to be a complex and time consuming affair, which was not expedited by the fact that changes in the extent of the buffer zone and the rules of management constantly seemed to be imminent. In fact, an early revision in the North and East forced some of the beneficiaries of NGO/donor housing programme to shift to home owner driven programmes.<sup>53</sup> The move contributed to social tension as NGO-driven houses are more valuable than homeowner-driven houses. Exceedingly different styles and standards speak more to the origin of the donor than to the needs of the recipient community. Parti-

cularly in the North and East billboards and plaques are letting everybody know who helped whom.

All over the country the provision of permanent shelter is progressing very slowly, particularly in LTTE controlled areas in the North and East. There are numerous complications and coordination problems in these areas because of two authorities overseeing reconstruction work, the Government with the assistance of the Government Agent, and the LTTE through its Planning and Development Secretariat. In addition, lack of material and skilled labour has further delayed permanent housing projects. The Tsunami Housing Reconstruction Unit (THRU) created under the Urban Development and Water Ministry is supposed to have a plan to help people move from transitional shelter to permanent housing, but none of the government officers and NGO workers the mission spoke to in the North and East had any knowledge about THRU's plans.

In the temporary shelters the situation oftentimes appeared quite unsatisfactory, sometimes even appalling. All of the temporary huts are cramped and small (ranging from 120 square feet to 180 sq ft) with one room and a corner to cook. They are plagued by flies and mosquitoes, extremely hot with a tin sheet roof, and are leaking in the monsoon season. Children and youth find it difficult to study in the current temporary living situation. The bathing facilities leave women exposed to public view. Sanitation and waste collection are poor. In some places flood water has already seeped into temporary huts and the affected families were compelled to move to the houses of relatives and friends. Nobody had a clear vision of the new lodgings and their whereabouts, much less a role in its coming about. At times people were either poorly informed or actually did slip through the net entirely and seemed to have virtually given up on an active future for themselves.

Different figures are given by different agencies and government bodies with regard to the numbers of permanent houses built. In Ampara district alone nearly 12,500 houses have been damaged by the tsunami and only 5,485 new houses have been planned to be rebuilt. To date only 26 houses have been handed over to the victims and these houses were built through a local collection by a Temple. INGOs and the government are yet to commence their permanent housing projects in this district.

The identification of alternative, yet safe land for permanent housing projects has created inter-communal tension, particularly in the East (Trincomalee, Ampara and Batticaloa). The immediate post-tsunami period saw significant collaboration between the Tamil and Muslim communities. However, in recent months, particularly in Muttur in Trincomalee district and in Kathankudi in the district of Batticaloa, there have been communal clashes over relocating tsunami affected people. One community accuses the other of colonising their lands. The Federation of Kathankudi Mosque has approached the LTTE and received a positive response on curbing inter-communal clashes. At the same time, given the fact that they are the community most devastated by the tsunami, the Muslim community insists on separate Muslim representation in case a mechanism for the sharing of donor funds should come about.

The registration form that has been circulated by the Government among victims in late December 2004 has a column to indicate the name of the head of household; in Sri Lankan patriarchal society this has to be a male. Cash grant and any form of compensation therefore have been handed out primarily to men. Currently the Government is in the process of reallocating land for families that lived within the buffer zone and they use this registration

<sup>53</sup> The home owner driven program is jointly financed by World Bank, Asian Development Bank, German Development Bank, Swiss Agency for Development and Cooperation. Under this program beneficiaries receive Rs. 250,000 for fully damaged house and Rs 100,000 for partially damaged house. Under NGO/INGO driven housing program estimated cost of houses ranges from Rs. 500,000 to 700,000.



form as a base document. This means that women who have had a title deed to their land within the buffer zone are on the verge of losing their right to inherit a permanent house. Traditional arrangements in the North and East such as Thesavalami (Tamil personal law) and the dowry system (Tamil and Moslem marriage costume) which ensure that women inherit a fair share of land tend to be crowded out.

In the North and East the effects of the protracted conflict and of the tsunami compound extremely unstable, fragile and insecure living situations. In the Mullaitivu –Ramasamy Thotum IDP camp, Ms. Jayaprahasam said:

“We have been fleeing since 1989 and this is my 11th displacement. But this time there is a difference and it is the nature that has made us refugees, not the war. I have two teenage girls and I don’t want them to grow up the way we did in the last 20 years. As long as we don’t have our houses back, there is nothing on which we can build our children’s lives and if the war starts again we have to think where to run next. It is not safe here”.

People who survived the tsunami in the North and East at present are fearing a further round of war and are wondering where to run next from their fragile temporary shelters.

### 7.3 Traumas and violence

Women and children are the worst affected by the tsunami. A survey of 53,613 tsunami affected families indicated that 70% more women than men died and one in every five tsunami affected households are now headed by women.<sup>54</sup> Yet, in part due to the unavailability of gender-disaggregated data reconstruction programmes are strongly male-biased. At the same time in numerous households men have become the primary care givers of children and oftentimes this situation is abused. Women’s organisations report an increase of incidents of incest and of sexual abuse in the camps. Lack of resources for shelters leads to underreporting of these occurrences.

Generally, social stigma, depression particularly among widowers, and increased use of alcohol and drugs are felt to contribute to the rising level of violence in the camps. There have been reported cases of rape in the immediate aftermath. However, reporting has not been made easy, and this was confirmed any time the mission cautiously approached the subject. NGO and Government staffs alike are anything but receptive, ward off the topic, minimise rape and abuse as isolated incidents, and accuse the Sri Lankan women’s movement of gross exaggeration. In the North allegedly incidents of sexual transgression and violence did not occur for fear of the death penalty pronounced by the LTTE and women in the LTTE following up systematically reported incidents. However, women talked with in the camps did complain about sexual harassment and violation of their privacy in the temporary shelters.

### 7.4 Livelihoods

The assistance package granted by the Government was intended to provide relief at the same time as encouraging and to an extent facilitating the transition from relief to secure sources of livelihood. Immediately after the tsunami Rs. 15,000 (1 Euro = 128 Rs) funeral expenses were given for each deceased person and

Rs. 2,500 per family for the purchase of kitchen utensils. Further to this the Government announced that every affected person would receive Rs. 5,000 emergency cash on a regular basis. In addition a weekly support of Rs. 375 was provided. Rs 200 could be collected from the banks, Rs. 175 were handed out in the form of dry food rations. The quality of the dry food ration at times was questioned, and a gender pattern could be observed with men collecting the Rs. 200 and using them for the purchase of alcohol and the women left to make do with the food ration.

The emergency cash turned into a serious bone of contention and issue of distrust between the people and the Government. The original announcement apparently was made for an undetermined period of time and with the understanding that it was to be provided on a monthly basis. However, in April 2005 a review of the list of beneficiaries found that about one third of the recipients were not actually entitled to emergency cash and the list was subsequently revised downward. More often than not payment occurred in an ad hoc manner and in various places only on public pressure; most people reported having received two or three instalments. By mid-year 2005 it was decided that emergency cash was to phase out altogether and make way for food for work and later cash for work programmes. The latter meant 12 days of work per month for the same Rs. 5,000 with mostly rather unconvincing work programmes. While decision about the various schemes were made on central level, the distrust, erosion of credibility and perception of patronage and clientelism occurred on local level, leading to a marked increase of tension between Government levels as well as within the communities.

Further tension, particularly in the North and East, resulted from the fact that tsunami victims were treated better than war affected IDPs and other poor people living in the neighbourhood. IDPs for instance receive Rs 170,000 for new housing while tsunami victims receive Rs. 250,000. From the early nineties the weekly dole for war affected IDP family of over five members has remained at Rs. 630 at maximum in contrast to the Rs 375 entitlement per person on a weekly basis for tsunami victims. Samurdhi entitlement, the current government poverty alleviation scheme, counts only Rs. 300 per person per week.

Cash for work remuneration (Rs. 300 – 400 per day) competes with wages in agriculture and construction. Taking up of a job leads to the discontinuation of emergency cash, thereby exercising a certain pull away from non-relief sources of income. Additional and uncoordinated NGO assistance basically reached people living in camps or housing in tents. This, too, made for a certain tendency for people to remain in the camps or to keep their tent as to qualify for whatever aid was forthcoming. The terms “tsunami-beggar” were coined as well as that of “tsunami-class” pointing to those who had proven very diligent in accessing grants and donations. Most reports comment on the “culture of dependency” nurtured under the circumstances. In contrast, tsunami victims living with family and friends found it rather difficult to receive their due or, feeling their dignity compromised, desisted from going for it altogether.

The determining factors for “rebuilding life” in terms of securing a livelihood were (a) information and (b) formality and related to the latter, the pronouncement of a buffer zone.

a The Government did not mount an information campaign on relief benefits and the special and concessionary loans for the affected businesses. NGOs, particularly international ones, oftentimes gave assistance in ad hoc fashion with little, if any coordination and following greatly varying criteria and

conditions. As a consequence, some people were fully aware of entitlements and of options, others were not. Some knew how to avail themselves of a variety of opportunities including some not so correct ones, others felt acutely what they had not received.

b) By and large benefits, loans and any other forms of livelihood-related assistance were dependent on the documentation of legality and rightfulness of claim. Over 50% of the houses destroyed by the tsunami were located in the buffer zone, most of them in one way or another associated with informal, that is unregistered business ventures, primarily in fishery and tourism and related activities. Traditional rights of informal land use were annihilated and reframed in terms of illegality devoid of claims to assistance, while more affluent residents and larger business ventures, particularly in tourism, were free to remain in the buffer zone. This raised suspicion that the actual rationale for the zone rested in a larger design of clearing the coastal areas of informal business segments with the objective of attracting substantial investments into upmarket tourism, and coercing the labour force formerly engaged in marginal forms of livelihood into the unskilled urban industrial labour force. Further plausibility to such reasoning is given by the fact that any structured support mechanisms such as informal (re-)training schemes for the transition of those deprived of their previous sources of livelihood into new sources of gainful (self-)employment are woefully few. In fact, oftentimes sheer repression was on offer. "If you built any illegal structures in Arugam Bay, the army and the police will have to come and remove them."<sup>55</sup>

### 7.4.1 Fisheries

According to official sources 75% of the fishing fleet have been partially or entirely destroyed. Half of the 200,000 persons estimated to have lost their main source of income were employed in the fishery sector, which in 2003 accounted for 1% of total GDP.<sup>56</sup> To which extent the estimated loss - the data given do in fact vary - captures the loss suffered by the informal sector cannot be ascertained, but the data indicate a relatively low productivity of the sector and the prevalence of artisanal fishery.

Registered fishers with documentation of their losses were entitled to receive a new boat and new fishing gear by the Government. INGOs also distributed boats and equipment. The recent consultation on community level points to a frequent mismatch of boats and equipment in quality, time and eligible persons. This has been vividly described in nearly all of the exchanges during the mission. Whether the fact that previous non-boat owners now joining the ranks of self-employed fishers contributes to "over-fishing" or whether the argument basically serves the purpose of giving preference to multi-day boats and industrial fishery and, by extension crowding out small-scale fishing, remained contentious. Fact is, that no proper reconstruction mechanism has been proposed by TAFREN for the fishery sector. Neither has the fisheries ministry proposed any plan designed to upgrade the sector in its entirety with the marginal fishers and fishery-related small business ventures finding their rightful and livelihood securing place.

Since the fishing sector had been hit the hardest, there has been a major focus on this industry with, however, no coordination

and, as a consequence, much confusion and duplication. INGO compounds mounded with small boats were a familiar sight. Government officials complained that some fishermen obtained more than five boats and that INGO boats are not suitable for the kind of fishing undertaken by local fisher folks (for example the lagoon fishing sector needs different boats than sea fishing). Fisher folks complained that affected fishermen were not consulted and that the NGOs have donated large number of small vessels, but that the more expensive multi-day and 3.5 ton boats are yet to be replaced. In some cases they have received the boats without the required type of nets and motors.

### 7.4.2 Tourism

Based on official data about one fifth of the larger hotel establishments suffered serious damage. 240 small hotels and guesthouses reported substantial damage and approximately 210 tourism-related smaller businesses were destroyed, with 190 of them not registered with the tourism board. The livelihood of around 20,000 of the 120,000 jobs in tourism is directly affected. The overall damage is estimated to be at around \$250 million.<sup>57</sup>

Larger hotels usually were ensured and in addition have easy access to credit through normal banking channels, and swiftly obtained permission to commence renovation within the buffer zone. Registered guesthouses could equally benefit from a Government credit guarantee scheme, from the duty free import facility which the Tourist Board introduced for all registered hotels, and the general "relaxation" of the buffer zone announced in October 2005 specifically intended to support tourism development.<sup>58</sup> However, the majority of small guesthouses was typically not ensured, oftentimes not registered and in addition to falling prey to the handling of the buffer zone found it difficult to access Government credit. The banking sector in turn did not accept traditional land rights as collateral for credits.

The composition of TAFREN with the majority of its members holding an immediate interest in upmarket tourism in conjunction with the focus on tourism development by way of the promotion of 15 major tourism centres pronounced early in 2005 gave rise to the widely held view that "the quest for a luxury tourism industry is driving much of the reconstruction plans."<sup>59</sup> In the Arugam Bay meeting quoted earlier on the chairman of the Tourist Board made it quite clear: "We are thinking about the higher level tourist, not the 5 dollar tourist". This strategy leaves little space for the lower end of the sector and for small businesses, which, as the data clearly show, constitute by far the majority of tourism-related activities. As a consequence, the report of the People's Consultation repeatedly states: "Small and medium tourist business have not been given due consideration by the Government" (District Galle).

As to the coastal communities mostly engaged in fishing and small tourism ventures and oftentimes informal income generating activities related to both, they have neither been consulted on the recovery strategies pertaining to their area, nor does the prospect of upmarket tourism development hold much in store for them. While they see privileges extended to more substantial tourism enterprises, they are left with the implications of the buffer zone physically removing them from the location of their livelihood. Seeking to find an income in upmarket tourism does not appear to be an option for them. In discussion with fishing communities

55 Minutes of Arugam Bay meeting, May 17, 2005

56 BBB: 7; 31; 37

57 Dept. of National Planning, January 2005:: 86

58 BBB: 7; 39; 42f.

59 TourismConcern, Post-tsunami reconstruction: 7

it was repeatedly underlined that jobs in tourism have a bad reputation, specifically for young women. The Government in turn has made no effort to bring tourism closer to the people by way of promoting locally developed tourism concepts and facilitating the entry of the local labour force into the sector. Ironically, at the same time that by all appearances the Government seeks to use the coastal devastation for a thrust to move further up on the international tourist market, there is little indication that the expected investments actually do flow in.

### 7.4.3 Small and medium enterprise

The Building Back Better report notes that “59 % of the damaged enterprises in the industrial sector can be classified as micro, with 38 % small, 2 medium and 1 large.”<sup>60</sup> The report continues: “There is a considerable number of entrepreneurs that have no access (to micro-finance), be it because of lack of collateral, proven bad track record of repayments or situated in the buffer zone” (BBB: 41). Most of the small and medium enterprises (SME) in the areas affected by the tsunami fall under the category of fisheries and tourism-related. However, there is also a range of frequently informal business ventures such as small shops and small-scale household industries in tailoring, small handlooms industry, catering, food processing, coir manufacturing, and lace making that more often than not women engage in. Traditionally most women entrepreneurs use their home as the base for livelihood activities. Save for joining a group, which, usually through the intervention of some NGO, runs a micro-finance scheme, they rely entirely on a continuous flow of revenue or on remittances.

Women living in camps, whether member of a group or not, for a variety of reasons find it difficult to resume their previous activities, even when these are not directly linked to fishing or tourism. Obtaining and pre-financing the material required, finding the proper space for productive activities, securing markets when removed from their usual costumers or the casual buyer are some of the problems. This is no different for men who oftentimes lost their workshops and tools for carpentry, small repairs and the like and cannot clearly document their loss. Micro-finance institutions do not easily write off old loans. Even when not living in the increasingly stigmatised camps, the Consultation brought to the fore: “While there are several loan and grant schemes available to those small and medium industries affected by the tsunami, communities in many of the districts do not seem to be aware of the facilities in this regard.”<sup>61</sup>

Observations recorded in the Consultation report fully coincide with the information given to the mission: “Self-employed activities have been completely neglected. ... SMEs have not been given any compensation. ... Those who are aged 60 years and above but still engaged in gainful employment have been considered not suitable for loans by the bank.” (Galle district) ... “No assessment was done for self-employed business” (Negombo). Some had to find out that because of starting a small business they were cut off from the 5,000 emergency cash which, however, they had factored into their business equation. In addition, they have to face competition from newcomers because fishermen who do not want to go to the sea anymore have taken up petty trade as an additional source of income.

German bilateral aid is seeking to combine the construction of houses with various types of informal skills training with a view to facilitating the entry of the trainees into the labour market.

Earlier programmes serving the promotion of small and medium business have been shifted into tsunami afflicted areas with the express wish of the Government to contribute to the modernisation of the sector. Programmes specifically targeting the informal sector (pre-micro credit. Informal training etc.), thus validating and strengthening its contributions to poverty alleviation and to the national economy could not be identified.

### 7.4.4 Agriculture

4 to 5% of the people affected by the tsunami, that is about 8,000 persons with agriculture-based livelihoods, lost their main source of income. Other agriculture-related livelihoods, both full-time and seasonal, were affected due to loss of home gardens and livestock. For all practical purposes the sector had been entirely forgotten or, more cautiously put: “Insufficient attention has been paid to this sector in the initial months.”<sup>62</sup> It was not included in the early needs assessments and, as a consequence, people making a living from agriculture were not entitled to benefit from the relief programme. When later-on added to the list of those eligible for compensation, people often were not aware of the deadline for reporting the damages of their cultivation, and compensation was subject to political favouritism. By and large salination is said to have washed out with the next monsoon rains, but apparently in some areas farmers still find the soil unsuitable for their crops.

## 7.5 Infrastructure

As far as the repair of devastated infrastructure is concerned or the provision of alternate means, by and large achievements have been commendable. Roads could be passed rather quickly after the tsunami, the damaged sections of the railroad were repaired within months, generally, water mains were rehabilitated with speed or water was trucked into the area. However, for some areas, e.g. in Batticaloa and Ampara, it was reported that the sea water flooded in was still affecting the quality of the drinking water.

Immediately after the tsunami the health sector worked remarkably in order to prevent the outbreak of post-disaster diseases, especially water-borne ones. Even though 97 health facilities were damaged or entirely destroyed no serious incidents due to unavailability of health services were reported. The primary health care system and routine immunization were re-established very shortly after the devastation, even though the damaged hospitals are yet to be rebuilt.

Equally, although a total of 182 schools, 4 universities and 15 training centres were affected educational activities resumed within weeks after the tsunami. Over 85% of school children of tsunami affected families have returned to school despite the lack of physical reconstruction and repair of damaged schools. Students from totally destroyed schools were admitted to nearby schools. Some families declared their reluctance to send their children to damaged or temporary schools and to have them travel unaccustomed distances. In some cases children have dropped out of school in order to work. No systematic programme to get these children back to school seems to exist. According to RADA the reconstruction of all schools will be accomplished by 2007.

One year after the tsunami, however, people do report neglects on local levels as to the distance of newly built schools or children still crowding in neighbourhood schools, equipments and schoolbooks

60 BBB: 36

61 Executive Summary of People's Consultation: 5

62 BBB:: 38

insufficient, the surrounding unsuitable and the like. Deficits of health care were rarely mentioned. The Consultation revealed numerous health effects due to tsunami and difficulties of children to focus on their education. This applies particularly to those still living in camps and this is also the mission's observation.

In the longer term what may be of much more disconcerting effect is the discrepancy between the construction of housing schemes and the provision of infrastructure for these settlements. By and large there is a division of labour between international donors and NGOs being in charge of the construction of new dwellings and the Government responsible for the provision of infrastructure such as water, electricity, access roads etc. However, the mission visited numerous housing sites and nowhere visible signs could be detected of efforts being made to have water and electricity installed by the time the houses are ready for people to move in. Since people on their part are very ready to move into their new houses this could well prove to be a future source of serious physical distress and socio-political irritation.

## 8. Perception of affected groups and supporting organisations

Most development professionals the mission met agreed that while there was some amount of confusion and bureaucracy in handling relief, for a country that has not experienced this magnitude of disaster, the Government institutions with the help of multi- and bilateral donors and NGOs responded reasonably well. In most of the affected areas within 24 hours essential items such as medicine, clothes, food and other items were mobilized. Sri Lanka's past investment in the health sector paid off in the emergency, and the broad-based public health system and community awareness of basic sanitary and hygienic practices ensured that there were no outbreaks of diseases. Communities and even LTTE and Sri Lankan forces cooperated across conflict lines that had divided them for decades. Public and private sector organisations coordinated and mobilised mass relief efforts at many levels. Right after the tsunami Government and the local NGOs in their effort to minimize the trauma and to bring back normalcy to the affected people's life gave high priority to restore at least the basic education. As a result by mid-2005, 85% of the children from tsunami affected areas returned to school.

However, with time bottlenecks and deficits manifested themselves. The People's Consultation captured two very important observations the mission, through its own discussions, can fully endorse.

„Many people observe vast discrepancies between the international aid that was received for the tsunami-affected and that which is being delivered to persons on the ground. While people continue to place significant trust in the official process to deliver, this confidence also shows signs of eroding as the process continues to stall and as time goes by.”

The people attribute several reasons for the slow and ineffective pace of recovery. Across the board they point to the highly centralized government machinery, inadequate needs assessments and consultation, corruption and the lack of transparency and accountability.<sup>63</sup>

In the minds of most people the return to normalcy is primarily linked to swift and satisfying housing arrangements that allow

the resumption of the familiar pattern of personal, social and economic life. With the complexity of issues involved in re-housing there may be valid reasons for matters to take so long, and in the absence of an ongoing dialogue between the affected people and the authorities and given the dubious justification for the buffer zone, the discrepancy between announcements, actions and expectations gives rise to suspicion of corruption, fraud, and personal enrichment. On a more political note, many read in the Building Back Better plans the implied message that the tsunami effects - the destructions as well as the aid pouring in - could and should be turned into a window of opportunity for a fresh modernization thrust to be spearheaded by the private sector. In tourism this has been explicitly articulated and the new Southern highway is considered by many as evidence for this strategic approach. In that perception the discrepancy noted above would plausibly be interpreted as a side-tracking of relief resources, rightfully belonging to the affected populace, into channels and investments of very little benefit to the poor.

Individual persons, groups and organisations alike vividly described and confirmed the solidarity, generosity and ingenuity with which people rushed to each other's help right after the tsunami. By all accounts women were at the forefront of this move. The sense of despondency many people now admit to is immediately related to the way relief has been handled. Being forced to wait for somebody else's next move in a vacuum of communication, information and consultation is bound to be of demoralising effects. Women in particular express the feeling of exclusion and deprivation, given that it is the men as head of households and bank account holders who receive the monetary aid. All reports comment on the marked increase of social tension among different groups of receivers, and among men and women. Gender-based violence has escalated greatly. Without directly touching the topic of sexual violence, women did repeatedly point out the rise in alcohol consumption and visit to prostitutes of men. Apart from the personal hurt clearly the meaning attributed to these phenomena was one of erosion of the values and fabric of society. The Consultation report even goes as far as envisaging the possibility of a future insurrection resulting out of the perception of an unjust cleavage between dependency and earned luxury.<sup>64</sup>

Furthermore, the continued existence in some kind of post-trauma limbo, to a large extent dependent on the decisions and actions of the powers that be, has contributed greatly to immobilising and dis-empowering tsunami affected people. Particularly the camp situation, where by and large people find themselves reduced to the status of beneficiary, nurtures that 'culture of dependency' frequently noticed. Indeed, the articulations and manifestations of a "give me" and "I have not been given enough"- mode of self-projection in the camps, disclaiming any possibility of an active role for the camp inhabitants themselves, were as depressing to note as they are alarming. However, it would seem it is not so much the prolonged 'temporary' situation in itself that pulls people down, but rather the absence of a vision within which people can see the betterment of their own situation accommodated in the recovery and reconstruction strategies and plans for the nation, a vision therefore, they can actively relate to and have a role to play in. What is particularly disconcerting that NGOs and INGOs do in fact in their one-year-after-reports deplore the utter lack of participatory strategies, but on the ground the mission found little acknowledging of that void and action remedying that situation.

## 9. Major findings

Any assessment of the achievements and lacunae of relief, rehabilitation and reconstruction will have to keep in mind that many problems encountered are not generated by the tsunami and the nature of tsunami response. Rather previous shortcomings, structural deficits, and socio-political features find themselves highlighted, enter public awareness and become of international concern. That in itself by no means has to be regretted as it provides a chance to take up, discuss and eventually deal with issues formerly, for whatever reason, not forming part of public debate. The following findings therefore are part of confronting issues, oftentimes genuine dilemmas, in the hope of moving from awareness to debate to remedial action.

1. Various gaps in the basic justifications of Government action in the immediate disaster response left vast room for a highly critical questioning of these actions, which to this day remains, unanswered. The pronunciation of the buffer zone was never founded on sound reasoning related to disaster prevention and, for all practical purposes, basically served the function of clearing the coastal areas of economically marginal segments of the society of little concern to the powers that be. Neither was convincing justification given for the establishment of TAFREN as the central authority overseeing the rebuilding process. Centralising the rebuilding mandate and putting it in the hands of people with no track record of attending to anything but their own, mostly tourism-related, private business could hardly generate credibility as to the social balance of the strategy implied.

2. Under the circumstances and in the nearly entire absence of information and communication based on reliable data, i.e. transparency and accountability, the recorded gaps between aid pledges and actual expenditure - at the end of the year 2005 expenditure is said to have reached 18% - do invite the question to what extent the Government used both, tsunami destruction and aid, as a window of opportunity for a boost in a type of modernisation that previously had encountered substantial opposition and held no place for those dislocated by the buffer zone and entailed a substantial amount of favourism, political interference and all-out corruption.

3. Modernisation as such is not the issue. If the intention of the Government to Build Back Better were informed by the wish to upgrade physical structures and in the process improve the livelihood options of the affected people, thereby contributing to social justice and inclusion, there would be nothing to take issue with. However, the plans proposed by TAFREN at an early point in time and endorsed by the Government appeared solely geared to the interests of the larger business community and held no concept of informal sector development and poverty alleviation. Even if much of these plans did not materialise, because there was too much blueprint and too little actual investment interest in them or they were controversial within the political class, they were enough to block any other reconstruction strategy and to leave people fearing for their future sources of income and their place in society.

4. Any action or non-action on the part of the Government was perceived through the lens of this fear. The lack of sheer information, much less consultation in the most pressing matters of housing and recovery of livelihood of necessity compounded the

situation. In the best of circumstances identification, acquisition and allotment of land along with the formalisation of land rights would have been a time-consuming and highly sensitive affair. Equally, the transition from food rations and emergency cash to food and cash for work cannot possibly come about easily. As it is, all too many people still live in temporary shelters in the camps with their lives on hold and no perspective that would provide an activating sense of (re-)orientation. Thus, already afflicted people are further deprived of a grasp on their lives and are reduced to beneficiaries in waiting.

5. The lack of participation of local stakeholders on the levels of information, consultation and deliberation on decisions with no coordination mechanism between the various aid actors has been deplored by all of the one year after-reports. Most reports also mention the non-availability of gender/sex-disaggregated data. Making such data useful would equally require participatory procedures. With no consultation mechanisms in place, relief was based on need assumptions rather than first hand information causing serious mismatches. Furthermore, the channelling of a substantial amount of resources all too often followed political considerations and other ulterior motives. The relief and recovery process to a great extent stifled the after tsunami dynamism in mutual aid, rather than taking it as welcome point of departure for empowering strategies. In addition, it further diminished the credibility of the political directorate.

6. The local and international NGO community was engaged in highly ambivalent forms of cooperation fraught with tension. However, all of them, in conjunction with the media, redefined a natural disaster into a humanitarian crisis thereby obliterating the active disaster response of the people themselves. This served the purpose of validating the credentials of INGOs and allowing them to apply to the situation a ready made aid package without looking closely at local realities. INGOs neither had nor sought to develop a sense for the specific fabric of social relations in local contexts that made the immediate active and positive (no looting!) disaster response possible, nor did they grasp the impact of social and political power structures. At the same time, no different from the Government's approach to relief and recovery, INGOs reframed the identity, mandate and scope of action of local NGOs into an assistentialism mode, which left local actors largely dis-empowered.

7. Whether the dis-empowering of decentralised actors was a matter of intent or effect, the highly centralised mode of disaster management exercised by all of the major actors, Government, LTTE, multilateral- and bilateral donors and INGOS alike, neither brought about most effective results most efficiently, nor did it contribute to giving the people, local NGOs, and local government structures space for voice and for action in line with local needs.

8. Although on local levels women have been at the forefront of immediate disaster response the reconstruction process left little room for the participation of women. They have virtually been excluded from village reconstruction committees. In LTTE controlled areas village development societies, formed to monitor rehabilitation, remained dominated by men. Given cultural sensitivities, INGOs in turn found it difficult to address women's issues. Furthermore, since registration of ownership of houses

privileged, men women tend to lose the traditional ownership rights they enjoyed previously, particularly so with the Tamil and Moslem communities.

9. By all accounts violence against women and children and instances of abuse have substantially increased. Yet, reporting is made quite difficult by Government and NGO staff unreceptive to the issue. Therefore whatever trauma counselling is on offer reaches the persons in need of such service all too rarely.

10. Even though over 60% of the losses and damages caused by the tsunami occurred in Northern and Eastern districts, by all appearances relief and recovery are happening at a markedly slower pace in these districts than in the south. Opinions differ whether the gap is due to uneven political and donor attention or rather attributable to blockages created by civil strife. The recent Government report on tsunami relief appears to acknowledge aid inequities benefiting the South.

11. Aid distribution further fuelled tensions in the already fragile peace process. With the failure of the Joint Mechanism (P-TOMS), designed by the donor community as a means for equitable distribution of tsunami aid as well as a stepping stone to future cooperation the situation returned to a tenuous state with intermittent violent skirmishes and both sides seeking to strengthen their forces.

12. The future reconstruction process is challenged by three serious threats: (1) The flaring up of the civil war and civil war-related conflicts which seems already well under way, (2) inflation affecting vital aspects of reconstruction such as wages and salaries, building materials, transport, rent, and not the least, the calculations and expectation as to just how much the tsunami aid budgets, Governmental and NGO, can cover. (3) the lack of infrastructure facilities in housing schemes which could easily spark frustration and anger pent-up during the time of the long wait.

### 13. Lessons learned and Recommendations

1. The current national and international attention, focused on post-tsunami reconstruction, presents an important opportunity to bring the plight of the war affected IDPs back on the Government's agenda. This protracted and complex displacement situation has been under-funded and neglected by the Sri Lankan Government and the international community alike. For humanitarian reasons as well as for the promotion of the peace process it is crucial, that IDP resettlement is taken on board on par with the resettlement of the persons dislocated by the tsunami and by the buffer zone. Generally, national data collection and budget planning should fully include the Northern and Eastern regions.

2. Relief and recovery have to respond to the actual needs, aspirations and capacities of the people. These are best known and met at decentralised levels. Participation of the people has to be ensured through adequate mechanisms on all levels (local, regional, national, international) and in all relevant matters (action design, planning and budgeting, implementation, monitoring and evaluation). The multi-layered Government administration

with the district structure should be sufficiently resourced with staff, budgetary means, and decision making power as to be able to make budget and implementation decisions and to coordinate action on local levels with authority and effectiveness.

3. By the same token, the international community, multi- and bilateral as well as non-governmental, should seek to strengthen local NGOs and CBOs in such manner as to increase their autonomy and empowerment.

4. On every level governmental and non-governmental bodies must exercise full transparency and accountability about the flow of funds. In January 2005, Transparency International Sri Lanka had proposed to the Government to include a chapter on accountability and transparency in its first relief plan. Unfortunately the proposition was never taken up. For the sake of efficiency as well as for pre-empting corruption, retaining credibility as to the criteria guiding policy decisions, and fostering trust in good governance, it is of utmost importance that the Government as well as donors make their accounts available to the public and engage in public discourse as to their priorities. This is all the more called for as people feel that the funds flowing in have been donated specifically to extend relief and recovery assistance to those affected by the tsunami, and therefore any agency involved in the process of making use of these funds is obliged to utmost transparency, information and public discourse on the ways and means of the utilisation of these funds.

5. Transparency is the indispensable prerequisite for meaningful participation. Participation of necessity demands sharing of information, engaging in consultation, permitting stakeholders to monitor results. In order to be meaningful it must extend beyond the modalities of the implementation of handed-down decisions. Rather, it must constitute voice in decision-making processes and the parameters guiding them. This raises difficult questions of representation; but they do have to be tackled.

6. Relief, rehabilitation and reconstruction must be guided by a vision of social development and must be based on a notion of the common weal. The December 2005 report of the Government specifically professes to a vision that embraces poverty reduction. In order to put that vision into action a policy concept is required which includes the objectives of a successful peace process and informs the reconstruction process by poverty alleviation concerns. Over and above strategic policy issues to be resolved, this implies bringing tsunami affected non-owners such as settlers without title deeds, fishermen without boats, and tenants, fully into the recovery process.

7. The data on which Government and donor community base their planning and their interventions should be gender-disaggregated. Their action should be guided by gender sensitivity and in line with their gender mainstreaming mandates.

8. INGOs need to be more mindful of where they fit in. This implies (1) cooperation with governmental administrative structures, (2) coordination with other intervening agencies, (3) desisting from marketing their own agenda, presence and visibility in competition with other agencies, (4) design any action with a view to strengthening and empowering local actors.

9. Relief in emergency situations does not escape being an intervention in very specific, complex social settings fraught with politics. Redefining the situation into a familiar set of circumstances cannot be the answer. How to combine swift and effective disaster response with the acquisition of knowledge on local specificities is a challenge to local and international NGOs yet to be taken up.

10. Local NGOs strongly suggested that INGOs agree on an ethical code of conduct which would eliminate competition and imposition to the detriment of local agency and which would further outline basic norms to guide INGO action. Such code(s) should entail uniform auditing guidelines, mechanisms of account-

ability as well as standards of competence and professionalism. Collaboration with the UN humanitarian community on these issues would be advisable

11. Rather than competing for the most visible and most demonstrable effect of their action, INGOs should educate the general and potentially donating public about the complexities of relief and the aspects impacting on successful recovery, which cannot be resolved without raising issues concerning causes and framework conditions. Therefore, they should discourage earmarking of donations for specific purposes and desist from rushing into spending (Legal regulations concerning the management of donations might require reviewing)

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# WORK PROGRAMME

Date	Name	Organisation	Function
2.12.05	Dr. K. Balasubramaniam Sarath Fernando	HAI Monlar	Advisor & Coord. Moderator
	Team meeting		
3.12.05	Prof. H. Sriyananda Dr. K. Balasubramaniam Dr. Lionel Weerakoon Dr. Soosai Anandan Prof. Francois Houtart Padma Pushpakanthi	PPC " " " " PPC/Savisthri	Chairman Commissioner " " international observer Committee member PPC/ Nat. Coord. Savisthri Coordinator Committee member PPC/ Mod. Monlar
	Sugala Kumari Sarath Fernando	PPC PPC.	
	Team meeting		
4.12.05	Seetha Ranjani	FMM	Journalist
	Sugala Kumari P.P.Sivapragasam	s.a. HDO/IMADR	s.a. Director HDO
	Peter B. Gowthaman	Oxfam	Country Director
	Heloise Ganesharuban Dr. Sritharan N.N.	TRO "	Project dev. Manager Project officer
5.12.05	Bishop Chickera <i>Shreen Saroor</i> <i>Dr. Reinhardt Bolz</i> Dr. Barbara Ramsperger	Anglican Church Team " "	Bishop
	V.K. H. de Silva	DRMU	Consultant
	Hishanti Soyza Nayomi Dharmatileke Chris McIntyre <i>Kath Noble</i> <i>Prof. Dr. Claudia v. Braunmühl</i>	CHA " " Team "	Coordinator CPRP Advocacy Coord. Development Advisor
	Dr. Roland F. Steurer	GTZ	Country Director
	Valentin Gatzinski	OCHA	Head of office
	Udaya Nanayakkara South team	SL Tourism Board	Chairman
	Team meeting		
	Ivan Kent	Christian Aid	Asia desk

# SOUTH TEAM

6.12.05	Drive to Negombo		
	Vincent Bulathsinghala	Janawaboda Kendraya	Adm. Secretary
	Womens's group	Sea Street Negombo	
	Fishermen	Sea Street Negombo	
	W.K. Shantha Kumara Muhandiram	Divisional Secretariat Negombo	Divisional Secretary
	Udan Fernando		Consultant
	Women f. fishing community	Korawelle	
7.12.05	Drive to Ambalangoda		
	Wolfgang Gressmann Roshan Perera Visit to THW housing scheme	THW “	Head of mission Logistician
	Mr. Wijesinghe U.M. Ananda	Galle citizen committee “	Secretary Member
	Samson Wanniarachi	Habitat	City manager
	Savisthri women's group	Dodanduwa	
8.12.05	Dr. Susirith Mendis	Dept. of Physiology, Medical Faculty of Ruhuna University	Head of Dept.
	Dr. Sujeewa Amarasena	Dept. of Paediatrics, Medical Faculty of Ruhuna University	
	Savisthri women's group	Hiththatiya	
	E.M. Marcus Perera	World Vision	District manager
9.12.05	Drive to Hambantota		
	Mahinda Manawadu M.H. Diyadose	Government Agency “	Additional Government Agent Additional Government Agent
	Carolie David Sasa Veljanov	Caritas “	District head of mission Programme manager
	M.D.S. Gunathilaka	CHA Hambantota	Information coord.
	Team meeting		
10.12.05	Fishing folk	Kudawelle	
	Team meeting		
11.12.05	Drive to Colombo		

# NORTH TEAM

Date	Name	Organisation	Function
6.12.05	Drive to Vavuniya		
	Meeting with staff	SEED	
	Heinz Seidler	Sevalanka/GAA	Co-Director
	Ponnampalam Narasingham, Volker Eick	SEED	Board members
7.12.05	Drive to Mullaitivu		
	Ponnampalam Narasingham, Volker Eick	SEED	Board members
	Emelda Sukumar	District Office	Government Agent
	Village Development Societies	Semmalai East and Curusadi-Ramashamy Thotom	
	Drive to Kilinochchi		
	Ponnampalam Narasingham, Volker Eick	SEED	Board members
	Mr. S. Ranjan and Eela Maran	LTTE	Planning and Dev. Secretaries
	Martin Linders Alexandra Poder	Oxfam Save the Children	Progr. Coord. North District Manager
	8.12.05	Drive to Trincomalee	
Mr. Nadarajah		District Office	Additional GA.
Dr. Gunalan		SLRC	
Gerhard Weisshaupt		GAA	Project Coordinator
Walter Keller		GTZ	Head Trincomalee off
Drive to Harbarana (Harthal)			
9.12.05	Drive to Ampara		
10.12.05	Drive to Batticaloa		
	Ramasami Canagarathnam	SEED	Board member
	Mr. Shamugam Punniyamaur	District Office	Government Agent

	Mr. Kamaladhas Mr. Sylvester <i>Kath Noble</i> <i>Dr. Reinhardt Bolz</i> <i>Dr. Thomas Seibert</i>	TAFREN CHA	Coordin. Livelihood Coordinator
	Ms Valeriya Davanzo Shreen Saroor	UN-Mission/OCHA/IOM	Acting Head of Zone Of- fice
	Ms S. Somawathy <i>Shreen Saroor</i> <i>Dr. Thomas Seibert</i>	Women's Development Forum- Batticaloa	
	Thiraimadu beneficiaries <i>Shreen Saroor</i> <i>Dr. Thomas Seibert</i>	Team »	
	Mosque Federation <i>Shreen Saroor</i> <i>Dr. Thomas Seibert</i>	Team »	
	Ollikulam beneficiaries <i>Shreen Saroor</i> <i>Dr. Thomas Seibert</i>	Team »	
	Paul Hogan  Dr. Reinhardt Bolz	Butterfly Peace Garden  Team	Artist/ Head trauma ther- apy
	Father Miller  <i>Dr. Reinhardt Bolz</i>	Catholic Church  Team	Head of Batticaloa Citizen's Committee
11.12.05	Dietrich und Brigitte Stotz <i>Dr. Reinhardt Bolz</i> <i>Dr. Thomas Seibert</i>	GTZ Team “	Head of Ec. Phys. & Social Infrastructure
	Drive to Kandy		
12.12.05	Team meeting		

Date	Name	Organisation	Function
13.12.05	Team meeting		
	Dr. K. Balasubramaniam Sarath Fernando Nimalka Fernando	s.a. “ IMADR	s.a. “ President
	Visaka Dharmathasa	AWAW	Chairperson
14.12.05	Heloise Ganesharuban Arjunan Ethirveerasingan Shreen Saroor <i>Dr. Thomas Seibert</i>	TRO “ <i>Team</i> “	Project Dev. Man. Project Dev. Man.
	Brian Smith	ADB	Post conflict specialist
	Dr. Naresha Duraiswamy Kithsiri Rajita Wijeweera Princess Ventura <i>Dr. Reinhardt Bolz</i> <i>Shreen Saroor</i> <i>Kath Noble</i> <i>Linus Jayatilake</i> <i>Dr. Barbara Ramsperger</i>	World Bank “ “ <i>Team</i> “ “ “ “	Post-Tsunami reconst. Economist Economist
	Rachel Parera Indhra Kaushal Rajapaksa <i>Dr. Thomas Seibert</i>	TAFREN/RADA	
	Dr. Roland Steurer Walter Keller Dirk Steinwand Ulf Metzger E. Hermann Stefanie Schell-Faucon  <i>Prof.Dr Claudia v. Braunmuehl</i> Dr. Barbara Ramsperger <i>Dr. Reinhardt Bolz</i>	s.a. “ GTZ “ “ “  <i>Team</i> “ “	s.a. “ Microfinance Berater Bildungsmin  Senior Advisor for Conflict Transformat.
	Thomas Soosalu <i>Prof.Dr Claudia v. Braunmuehl</i> <i>Dr. Reinhardt Bolz</i> <i>Dr. Thomas Seibert</i>	SLMM <i>Team</i> ” ”	Lawyer
15.12.05	Herr Hartmann <i>Prof.Dr Claudia v. Braunmuehl</i> Dr. Barbara Ramsperger <i>Dr. Reinhardt Bolz</i> <i>Dr. Thomas Seibert</i>	Deutsche Botschaft <i>Team</i> “ “ “	
	Andreas Weerth Cornelius Huppertz Andreas Hartmann  Caroline Heun <i>Prof.Dr Claudia v. Braunmuehl</i> Dr. Barbara Ramsperger <i>Dr. Reinhardt Bolz</i> <i>Dr. Thomas Seibert</i>	Deutsche Botschaft ” ”  <i>Team</i> “ “ “	Botschafter Partnerschaftsinitative Counsellor Ec. Coop. and Development Third Secretary

	Niraj David Dr. Kumar Rupesinghe Guillaume Kopp  Mahesan Seharatnan Niraj David Robert Przedpelski Katanha Ottossa Marit Haug	FCE FCE “ “ “ ICRC NCA Norwegian Institute f. Urban & Reg. Research	Chairman Director – Relief & Rehabilitation Human security cons. Programme Coordin. .... Of delegation Programme officer
16.12.05	Flight to Germany		

Whenever no details are given the entire team participated in the meeting

South team: Prof. Dr. Claudia von Braunmühl, Linus Jayatilake, (Dr. Barbara Ramsperger)

North team: Dr. Reinhardt Bolz, Shreen Saroor, Kath Noble, (Dr. Thomas Seibert)