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PEACE AFTER THE TSUNAMI: NEW WINDOWS OF OPPORTUNITY

One month after the devastating tsunami disaster of December 26, two things have become crystallized as crucial for a successful recovery process in Sri Lanka. Firstly, the UPFA government and the LTTE should find a framework of cooperation in the re-building process. The post-tsunami recovery strategies should be linked to peace-building and governance reform efforts.

New Engagement?

The government-LTTE engagement in order to work out a framework of cooperation in the re-building process is a significant stabilizing factor emerged in the aftermath of the December 26 natural disaster. The dynamics of the relationship between the two sides during the first two weeks of the tsunami were quite mixed and complex. Although there were reports of a pleasant exchange of letters between the Presidential Secretariat in Colombo and the LTTE's political wing in Killinochchi exploring cooperation in the immediate aftermath of tsunami, the individual agendas of the government and the LTTE seem to have prevailed over mutual cooperation. The government, as it has now been revealed in the patriotic English press in Colombo so eloquently, had acted on the inaccurate intelligence reports that the LTTE's military strength had been decisively weakened by the tidal waves, creating a new strategic asymmetry in favour of the state. The LTTE too had its own agenda of portraying the UPFA government as having practiced deliberate discrimination against Tamil victims of the tsunami in the North. Thus, strategic unilateralism appears to have dominated the approaches of both sides in the first two weeks after the tsunami disaster.

These competing perspectives on each other and the concomitant strategic goals, projected by the government and the LTTE, initially precluded any working relationship being forged between the two sides. After much haggling, some kind of equilibrium emerged in the relationship between the two sides in the third week after December 26. Indeed, it is quite an achievement that the UPFA government and the LTTE have been working for the past two weeks on a possible framework of cooperation in obtaining and utilizing international assistance. In their public statements, there is an overt recognition of the fact that unilateralism could hardly constitute a winning strategy. Both sides are acutely aware of the fact that international assistance beyond verbal pledges would materialise only if there is concrete bilateral cooperation in the post-tsunami recovery process.

Internationalisation

This indeed tells us the extent to which Sri Lanka's post-tsunami recovery process is internationalised. The LTTE seems to have been the first to realize the political consequences of the internationalisation of the recovery process. The internationalisation of humanitarian assistance strengthened the state exactly in the same way that the internationalisation of the peace process strengthened the nation-state in 2002. From this significant insight, the LTTE appears to have decided to work in limited collaboration with the UPFA government. The government, meanwhile, also became aware of the crucial need to cooperate with the Tigers in securing continuing assistance of the international system. This confluence of

thinking is indeed a positive development. The government and the LTTE should now utilise this opportunity as a building block for future political engagement to advance the process towards a negotiated political settlement to the ethnic conflict. The task of the opposition, civil society and the international community is to help in building the capacities of both the UPFA

POLITY

Vol. 2 No. 3 2005
January-February

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website: www.ssalanka.org
Annual subscriptions:

Sri Lanka	Rs. 600
By Airmail:	
South Asia/Middle East	US \$ 28
SE Asia/Far East	US \$ 28
Europe/Africa	US \$ 30
Americas/Pacific countries	US \$ 40
(Please note the revised subscription rates. Cheques in favour of Pravada Publications)	

government and the LTTE to utilise this window of opportunity for constructive engagement.

Fresh Openings

Meanwhile, there is another coincidence, a rare one at that, of the approaches of the President and the LTTE leadership to a key strategic dimension of the post-tsunami recovery process. Both sides are keen to de-link tsunami recovery from the peace process. The Norwegian facilitators are also reported to share this de-linking approach. This is a particular dimension of the conflict sensitivity as conceptualised by the two main protagonists to the conflict and their international interlocutor. It posits the normalisation of civilian life in the tsunami-hit areas as the shared immediate goal of both the government and the LTTE. The peace process, as this approach asserts, is too contentious to be brought into the equation right now. The best way to link this approach to a process of peace-building is to persuade the two sides to commit to a series of concrete and strong confidence-building measures through the limited framework of recovery cooperation they now seem to contemplate. Sooner or later, conflict sensitivity of the recovery process will have to be elevated to peace sensitivity. This is where the civil society and the international community can play a facilitatory role.

It is in this context that the appointment of the former US President Bill Clinton as the Special Envoy of the UN Secretary General for tsunami-affected countries assumes special significance for Sri Lanka and Indonesia. The international community is quite keen to establish a link between tsunami-recovery and peace building both countries where the peace process had remained stalled for months. President Clinton, with his peace deal-making background, is one of the best individuals in the world today to envision new peace efforts in both Sri Lanka and Indonesia. The UN officials have also made it quite clear that the UN was keen to 'capitalise on the openings' that the tsunami has provided for re-activating the Indonesian and Sri Lankan peace processes. In Sri Lanka, Secretary General Annan himself witnessed the intimate link between the tsunami disaster and the conflict and the imperative of peace as a pre-requisite for any meaningful and sustainable recovery process.

Meanwhile, with regard to the conflict in Aceh, the government and the rebels returned to the negotiation table in Helsinki, assisted by the former Finnish President Martti Ahtisaari. In Sri Lanka, the possibility right now is for the two sides to engage the middle level

officials for talks concerning post-tsunami recovery. These may not be 'political talks' in the sense of peace negotiations. To resume political talks in Sri Lanka, a new international initiative is perhaps necessary, because the previous international initiative has largely run out of steam as well as ideas. Now with Clinton in Asia with a humanitarian mandate from the UN Secretary General, a fresh window of opportunity is in the making.

Governance Reform

Finally, an agenda for governance reform is quite central to a meaningful rebuilding process in Sri Lanka. The key to governance reforms is the strengthening of the local government institutions in a federal framework. Particularly in the South, the inefficiencies of the government machinery in responding to the complex humanitarian emergency is evident even one month after the tsunami. In many places in the Southern and Eastern districts, the GA-AGA-Grama Sevaka nexus broke down. In a number of places I have visited, the Grama Sevaka officers bare the brunt of a huge humanitarian challenge, with no guidance either from the senior officers or from political leaders. The government is not making use of the bodies of local governance, on the argument that they are inefficient and inept to handle an urgent crisis. With no regular links with the ground situation, officials in Colombo who direct a centralised recovery process are quite oblivious to the sheer magnitude of the humanitarian crisis out there.

Meanwhile, the centralised recovery response launched by the LTTE in areas under their control seems to have, so far, worked well. But there too, centralisation has its limits. There is no reason for centralization that has failed at the centre to succeed in the periphery and in the regions. Consultation of the victims of tsunami in making decisions that will directly affect the people, their lives and livelihoods is in short supply in both South and the North. Consultation in public policy making is not informing people of decisions made elsewhere, but obtaining through democratic participation, people's views that determine decisions. Recovery and re-building from above is less likely to succeed than a participatory recovery process would, because it does not make the victims partners in the path to recovery. In a way, the challenges of post-tsunami recovery and rebuilding should compel the LTTE leadership to re-think their vision of the North-East regional political entity, and to make it democratic and decentralised. Now is the moment for such fresh political thinking in both Kilinochchi and Colombo. It is an opportunity for political transformation for all. **P**

The cover picture is from the famous painting of a Tsunami by the 19th century Japanese artist, Hokusai.

The photographs in this issue were taken at Wadduwa.

POST-TSUNAMI RECOVERY IN SRI LANKA

Jayadeva Uyangoda

I.

The government of Sri Lanka and the international community have begun in earnest to map out their strategies for post-disaster reconstruction Sri Lanka which was devastated by the boxing-day tsunami. The situation in Sri Lanka as well as Indonesia at present can be described as a 'complex humanitarian emergency.' In this context, all engaged in reconstruction work, as well as the public in Sri Lanka, need to be aware of few crucial issues. This article seeks to generate an informed and reflective discussion on these challenges.

Conflict Sensitivity

Firstly, the immediate humanitarian response to the tsunami disaster as well the medium and long-term strategies for relief and reconstruction should be *conflict sensitive*. We must never ignore the fact that this tsunami disaster occurred in Sri Lanka, and Indonesia's Aceh province too, against the backdrop of an ethno-political civil war, and that the negotiation process to end it through political means has been under severe stress. It is fundamentally important that the government and the international community immediately draw up strategies for a well-thought out 'conflict sensitive disaster response.'

Under the present circumstances, a framework of conflict sensitivity for Sri Lanka's disaster response calls for the following:

- (i). The government and the international community as well as civil society groups should include the LTTE at all levels of decision-making and implementation with regard to the humanitarian response and the reconstruction process. The government should treat the particularly LTTE as an equal partner in the short-term as well as long-term processes of disaster response. Although there might be the temptation and even advise in some quarters to use this opportunity to re-assert the authority of the state in the LTTE-held areas in the North and East, no responsible government should pursue such an approach which will only widen the existing gulf between the government and the LTTE, and the state and the Tamil community. The principle to stress here is that *there is a close link between disaster response, post-disaster reconstruction and peace building*.
- (ii). The distribution of humanitarian assistance and long-term economic support should be *fair and equitable*. Tamil and Muslim communities as well as any particular district or area should not have reason to think that the government and the international community have practiced a discriminatory approach. The best way to ensure fairness and equity is to make a thorough assessment of the local, community needs and then respond adequately, involving

the local communities as well as local political actors in all phases of providing relief, rehabilitation and reconstruction.

(iii). There is a growing sentiment in the South that the LTTE has been behaving in a predatory manner in dealing with the disaster. Amidst these negative media reports, it is also important to recognise that the LTTE has well-organised structures, mechanisms and trained personnel to respond to humanitarian emergencies, developed during the war. All those who return from the Vanni after delivering relief goods to the people there agree on the effectiveness of the organized response initiated by the LTTE soon after the tsunami hit the coastal areas under their control. Recognition by the government of the capacity of the other side, even under extremely harsh conditions and with limited material resources, to deliver humanitarian emergency assistance on a mass scale, can go a long way. It is important that the government and the international community recognize not only the LTTE's limitations as a political entity, but also its strength in emergency disaster response. Cooperation with the LTTE in effective delivery of emergency assistance and in the long-term processes of reconstruction is extremely important to make this huge disaster an opportunity for *trust building for peace*.

(iv). Re-building of the disaster-hit areas should be conceptualised and initiated jointly, with the active participation of the LTTE. The government and the international community should design new strategies to facilitate such a process of *humanitarian engagement* between the government and the LTTE. Actually, this calls for a new framework of human security engagement between the two sides to the conflict. The CFA has defined the terms of military engagement between the state and the LTTE to facilitate negotiations. Now, the peace process has a new context and it requires, 'human security' agreement parallel to the CFA.

Decentralised Response

Secondly, the government as well as the LTTE should avoid re-producing centralized structures of governance in its disaster response policy. The present tendency is to establish centralized institutions for humanitarian operations. This approach treats local level government bodies as secondary to the structures set up at the centre. While we should acknowledge the importance of unified coordination of international support as well as the delivery of assistance, it is extremely crucial to *empower and activate decentralized local institutions of governance as well as local community initiatives*.

A failed centralized state can by no means succeed in delivering services in an extremely complex humanitarian emergency. There are many reports coming from the provinces suggesting the urgent

need to empower local initiatives with central assistance for immediate disaster response. Even without a disaster of this magnitude, Sri Lanka needed a system of decentralized governance in an advance federal framework. The centre can work efficiently, especially in complex emergencies, only when there is a working and effective network of de-centralised governance, supported by the local citizens groups. Therefore, the government's approach to disaster management and response should in no way reinstate centralization.

State's Role

T hirdly, the government should not think that the state has the monopoly in immediate disaster response as well as long-term reconstruction. *The state is only one actor* while it can be granted that it certainly is the principal actor. In fact, in the first two days of the disaster, the state could generate only a limited response to assist the victims. There are many reports of serious state failure in immediate disaster response. It is the voluntary initiative of the people and non-governmental bodies that provided immediate assistance to the victims when the government was virtually on vacation. The government should accept this reality, and be courageous to work with the non-governmental and community actors in all stages of recovery from this disaster, strengthening its role as a facilitator.

By surveying the active responses to the present disaster, one may identify the following entities as the key actors engaged in the post-tsunami recovery process: the government (its constituent political parties as well as the administrative machinery), the LTTE, the opposition parties, international community including the states and donors, the international and local civil society, and finally the private sector. The government should take the initiative to establishing *a multi-partial coalition* of all these actors for immediate humanitarian assistance as well as medium and long-term recovery. A broad, multi-actor coalition will have a better chance to succeed with broad participation, sustainability and legitimacy.

Non-State Sector

Fourthly, the international community, both the states and the donors, should not treat the Sri Lankan state as the only legitimate actor in the delivery of immediate humanitarian assistance as well as long-term reconstruction. Non-governmental as well as community organisations have done, and are doing, an immensely commendable job to supplement where the state has failed and fill in the critical areas of response deficit. This contribution made by the NGOs should not only be recognised, but also supported.

One option in this regard is the setting up of an international fund of significant size to assist the non-governmental and community bodies in the recovery and re-construction efforts. Indeed, the best practice for sustainable post-disaster recovery is to involve the affected communities in the reconstruction process through their active participation in the re-building efforts. The affected communities

should have ownership of the new process. The government alone cannot shoulder such a social responsibility. The government should work in coalition with the NGOs, CBOs and other popular, participatory groups. The role of the international community in this regard is to facilitate such a coalition and assist the non-governmental sector with funding.

Pro-Poor Recovery

F ifthly, the long-term re-construction program should be non-elitist and *pro-poor*. Such a vision is particularly important due to the fact there are views expressed in powerful quarters in our society that the poor should be removed from the coastal areas which should now be used for urban and coastal beautification. Some pundits have already come on the TV to advocate this line of anti-poor thinking for post-disaster economic and social reconstruction. In some instances, government officials have warned the displaced fisher communities that they should not return to the coastal habitat but should find alternative accommodation in the interior. This has in fact sent shock waves among the poor, displaced communities who are now in welfare camps. Although there will be a middle-class and elite argument – a tempting one at that -- for the gentrification of the coastal belt at the expense of the poor fishing and low-income communities, the government should not give in to such un-humanitarian pressure.

While it is true that these communities should not return to their pre-tsunami existence of grinding poverty and unbearable squalor, there is absolutely no justification in further victimising them in the name of re-construction. They should be provided with alternative habitats and means of livelihood that will enable them to escape from poverty and misery. The state should avoid strategies that may push them into further misery, or make them state-dependent and passive recipients of assistance. These communities should be enabled to be active agents of their own transformation for a better future. An imaginative economic reconstruction plan can be one that will ensure them sustainable employment, new economic opportunities as well as better housing and social infrastructure.

Finally, such a re-construction plan requires *a new vision* for a post-civil war, post-tsunami Sri Lanka. It should encompass Sri Lanka's North, East and the South. The best way to formulate such a comprehensive recovery plan to involve as partners the five constituencies that have a stake in this process – the government, the LTTE, the opposition parties, international community, the civil society and the private sector. A conference of the representatives of these six constituencies should be the best forum for devising *a multi-partial recovery plan*.

II.

R esponses to the tsunami disaster of December 26 have now reached a new phase. In the initial phase of the response, efforts were mainly directed at immediate tasks. Recovery of survivors as well as the bodies of the dead, the provision of food, medicine and shelter were among the key immediate tasks in the

first week of assistance. In the second week, many medium term challenges emerged. They included the tasks of managing relief supplies to survivors in the welfare camps, streamlining and better coordination of relief delivery, obtaining better information about the magnitude of the disaster as well as managing the international assistance. In the third phase at present, long-term challenges of recovery and re-building are the key considerations.

Political

The task ahead is indeed an enormous one. It is a complex political exercise. There is a profoundly political context for the post-tsunami recovery in Sri Lanka which many seem to ignore. Three fundamental aspects of this context need to be acknowledged. They are fundamental because they will shape the future trajectories of the recovery process, and its success or failure. The first is the ethnic conflict, which calls for linking the disaster recovery agenda to a broad agenda for transition from civil war to peace. Re-consolidation of the peace process, not its undermining, is the challenge it has already thrown up. The second is the essentially fragmented nature of the Sri Lankan polity. It calls for a broad political and social coalition for recovery and re-building. It indeed calls for a new political consensus. The third is the state failure in the past. It presupposes that the government needs to establish a partnership with non-state actors as well as the local institutions of governance to make the recovery process socially legitimate, politically acceptable and relevant to the needs of the affected people in all parts of the island.

Some disturbing tendencies have emerged during the past two weeks that if unchecked can seriously undermine Sri Lanka's efforts towards an inclusive and conflict-sensitive recovery strategy. Key among them is the growing rift between the government and the LTTE on macro politics of humanitarian assistance. While there are reports of the government and the LTTE working in partnership at district and local levels, the political relationship at the level of higher national leadership is marred by adversarial rhetoric and mutual suspicion.

Annan Visit

The politics of the visit made by the UN Secretary General centre-staged the challenge that the government, the LTTE as well as the international community face in Sri Lanka in a conflict-ridden humanitarian context. Mr. Kofi Annan's visit should ideally have been a healing effort, utilizing Sri Lanka's unprecedented human tragedy a rare opportunity for reconciliation. When Mr. Annan excluded from his travel itinerary the LTTE-held areas that were also devastated by the tsunami, he made a very significant contribution to the growing rift between the government and the LTTE. Despite the Sri Lanka Foreign Ministry's claim that the Annan itinerary was primarily arranged by the local UN officials, the LTTE has good reason to react, viewing it as another attempt by the government to isolate the Tamils and the LTTE from the international system.

Tamil citizens whom I spoke to over this issue, have expressed both sorrow and regret. They feel slighted even in this grave humanitarian tragedy. For Tamils who are conscious of the politics of ethnic relations in Sri Lanka, the exclusion of the North and East from the Secretary General's visit is a symbolic exclusion of them as a community. But the officials representing the Sri Lankan state as well as the international state system seldom understand these deeply-felt grievances of non-state communities, despite their rhetorical commitment to minority rights. The adherence to the concept of state sovereignty and the slogan of 'one state – one government' has deprived the Sri Lankan government and the UN a great opportunity for inter-community trust building and reconciliation for peace in Sri Lanka. If a humanitarian tragedy of such unimaginable proportions as the tsunami disaster of December 26 cannot move the Sri Lanka government to relax some rigid terms of state conduct, what else can bring flexibility to the thinking among the politicians and officials who run the Sri Lankan state?

Victims

This logic of exclusion in the humanitarian recovery process goes on in other areas as well. The most excluded from the official reckoning for recovery and re-construction are the direct victims of the tsunami disaster. This exclusion is practiced primarily by those key government officials who have already finalized plans for long-term reconstruction of the affected towns and villages. Perhaps, the Task Force appointed by the President to plan the reconstruction process have neither the time nor the intellectual inclination to consult the victims in making their plans. For them, the affected people are useful statistics, because their plans are largely based on the so-called 'rapid need assessments.' In these technical exercises, the victims' views are not useful 'policy inputs.' After all, the expert consultants know what the people actually require.

The government should immediately re-think this technocratic 'rebuilding from above' approach to disaster recovery, because it makes the affected communities passive onlookers of another process that can very well be a social disaster in the long run. It makes the victims of a natural disaster the victims of a deliberate disaster. This approach also violates one of the fundamental principles of humanitarian recovery from political as well as natural by emergencies, not enabling the affected people to own the new life in a participatory process. A techno-bureaucratic process, imposed from above by the central state and the international donor community, can hardly transform the lives of the victim communities in a sustainable manner.

Local Capacities

The exclusion of local capacities and experts is another serious shortcoming in Sri Lanka's present recovery process. This is closely linked to the internationalisation of disaster management, which is linked to the global humanitarian aid enterprise.

Internationalisation of disaster assistance has already produced two significant political outcomes. It has brought the international state system back into Sri Lanka in a big way, after the setbacks to the peace process. It has also brought a host of new international NGOs to the local assistance disbursement networks. Whether one likes it or not, post-tsunami Sri Lanka is locked into a complex network of global linkages.

It is simply amazing how very young foreign experts and consultants are now engaged in rapid need assessments in many tsunami-hit districts in Sri Lanka. They often dispatch themselves from the airport to the districts to quickly begin needs assessment in communities with which they have no familiarity. Neither the donor community nor the international NGOs who are engaged in these assessments make use of local expertise. Assistance of the social scientists in our universities is not solicited except on the phone or through quick question-answer interviews. In a global culture of technocracy, it is not strange that the Presidential Task Force on rebuilding the nation does not have a single local sociologist in the list of its high-powered members.

The government seems to approach the task of re-building on the assumption that it is primarily an exercise in re-building towns, roads, markets, beachfronts and infrastructure. In a sustainable reconstruction process, primacy should be given to re-building lives, livelihoods and communities. Construction buildings, as the developing world learnt through bitter experience a few decades ago, is not nation building. We have a whole history of developmental failure behind us, and there is no reason for us today to ignore that past and repeat its mistakes once again.

Local Institutions

Ignoring local institutions in the long-term recovery process is another mistake that the government should avoid. The present approach does not seem to value the participation of the local institutions of governance, like Pradeshiya Sabhas and Municipal Councils, in planning or implementation of the master plan for re-building. The exclusion of local institutions of governance emanates from two sources. Firstly, the Colombo-centric vision of efficiency views the institutions of governance in the periphery with suspicion, as inefficient and easily corruptible. Secondly, Colombo's technocracy thinks that local institutions are lacking in capacity to undertake the gigantic task of post-tsunami re-building.

However, these are not good reasons to exclude the local institutions of governance. They are indeed good reasons to link the reconstruction process with a program of re-building the capacities of the institutions of local governance as well as community organisations. The government should never ignore the possibility that a re-building process that does not include the local communities, local capacities as well as the local institutions of governance might not enjoy social support and legitimacy. In brief, the task ahead in Sri Lanka is a political one as well, political in the broad sense of the term. It calls for avoiding the past failures of developmental processes and creatively applying their lessons in the long-term recovery process. It also necessitates a sound public policy of social and economic recovery that is participatory, inclusive, socially legitimate and anchored in a new political consensus. Importantly, recovery from the tsunami disaster and the recovery from the civil war are so closely intertwined that they require a fresh partnership between the government, the LTTE and the international system in a new framework of flexibility. ■

E-MAIL FROM BATTICALOA

Volunteers have informed us that some unauthorized persons have distributed medicines in camps (Arrasadi Mill). Through our fact-finding visit we were able to collect some medicines, which have expired. In some cases the expiry date goes back to October 2004. Today we visited Arrasadi Mill camp and found that milk powder packets that were distributed by some visitors were found not consumable. This adhoc distribution needs to be stopped immediately. There should be some kind of monitoring system installed in camps.

It seems there are reported cases of Malaria and Diarrhea in Batticaloa. At Hindu college there are 09 cases of Diarrhea and 01 case of Malaria. In the recent past there have been many media reports stating that the post Tsunami diseases are under control but we fear that these overly crowded-camps need to be monitored continuously for contagious diseases.

AFTER THE TSUNAMI: A PLEA FOR RESPONSIBLE RECONSTRUCTION

Rajan Philips

Civil society groups and engineering and environmental professionals are raising concerns about the government's national task force on redevelopment that includes only representatives from the finance, tourism and other business sectors but no one from the affected areas or from among the public sector professionals, technical professions, or the scientists. Their fear is that Sri Lanka's reconstruction effort may be driven more by national economic and elitist considerations than by local community and environmental priorities.

A particular issue is the future of the fishing communities whose homes and livelihood have been uprooted by the tsunami. The Coast Conservation Department already has guidelines and standards for coastal conservation and regulating coastal construction. These requirements were often ignored in the past by the tourism industry and its political supporters, and even now only the fishing communities may have to conform to its new enforcement. It would appear that the tourist hotels that were damaged by the tsunami will be allowed redevelopment at their old locations, while the fishers' dwellings that were destroyed will be relocated interior. This will also clear the coast for beautifying the rural beaches and gentrifying the urban edges in the affected areas, which appears to be the elitist 'visioning' among the advocates of a top-down Master Plan approach to reconstruction. Jayadeva Uyangoda, the political scientist, has criticised this approach as "anti-poor" and "un-humanitarian". According to him, government officials have already warned some fisher communities that they should not return to their coastal habitat and this has sent "shock waves among the poor, displaced communities".

It is important to bear in mind the human, social and the environmental costs of the tsunami disaster. Generations of families, long established but uninsured ways of life, whole communities and ecological systems have been either obliterated or seriously damaged in Aceh, in Sri Lanka, in Thailand, in parts of India's Tamil Nadu and the islands of Andaman and Nicobar - the two isolated island groups that have long preserved some of the pristine forms of human culture studied by anthropologists. The relief and reconstruction efforts should be humbled by the losses that are irrecoverable, and should be sensitive to the trauma of the survivors and the need for ecological rehabilitation. The tsunami victims should be rehabilitated through their own empowerment. It would be a double tragedy for them to be victims, yet again, of top-down Master Plans.

This is not to deny or minimize the role of the government in relief and reconstruction efforts or the usefulness of Master Plans, especially in the rebuilding of the hard infrastructure. However, it is necessary to emphasize that the government and political leaders should give up their traditional patron-client attitude towards their own citizens, and that planning and implementation should involve grass root consultation and empowerment. At a seminar, held at the Peradeniya Faculty of Engineering soon after the tsunami disaster, one of the participants proposed that while the government should spearhead the task of rebuilding infrastructure, the affected communities should be empowered to re-establish their habitats and livelihood with help from professionals and civil society organizations. Such an approach will enable local design solutions being found to local problems, including that of providing safe shoreline setbacks and stronger structures to accommodate the fishing communities, without arbitrarily severing them from their, sea-based livelihood. This is also the approach preferred by Cameron Sinclair's Architecture for Humanity, a New York based group that provides design services to communities affected by natural disasters.

The government would be well advised to exercise more caution and less haste in undertaking long term reconstruction. In many areas, the impacts of the waves are reported to have been so severe that their effects need to be properly assessed and mitigated. The reconstruction program should also be used to integrate the traditional coastal communities with their modern intruders, namely, large scale commercial fishing and the tourism industry. What the tsunamis did comprehensively to all three parties in a matter of minutes, commercial fishing and tourism have been doing incrementally to the traditional communities for over three decades. Their small boats were squeezed in the ocean by commercial trawlers sailing out of fishery harbours, and they were squeezed on the land by the string of tourist hotels that were often developed without assessment or mitigation of their community and environmental impacts. In most cases, there is very little by way of infrastructure integration between individual hotels and the adjacent community in a given area. In Sri Lanka, the garbage generated by tourist hotels became a serious problem with no one taking responsibility for managing it. The government has a role in ensuring that infrastructure integration and environmental management are properly addressed in the reconstruction of the tourist areas.

It is no secret that the government is a short term financial beneficiary of the tsunami disaster. With relatively smaller debt

load (\$9.6bn at \$500 per capita, compared to Indonesia's \$132bn at \$5,500 per capita), Sri Lanka need not have accepted the freeze offer. But the government may not have had a choice given the state of its finances due to political instability and the moratorium on the peace process. No doubt, the government leaders will take undue credit as the economic indicators start showing an upward trend as aid moneys flow in and economic activities burst out after the tsunami disaster. But the real story will not be in the economic indicators from the Central Bank, but on the ground in the affected areas, and how the victims of the disaster are pulling their lives together.

It is a moot point whether, in the long run, the Sri Lankan government will be able to effectively absorb and utilise the tsunami aid considering the low aid utilization rate (14%, lower than the international average of 20%) that Sri Lanka has traditionally been able to achieve. It is also no secret that low aid utilization in the past has been accompanied by a high corruption rate. What guarantees are there that these trends will not persist but be reversed as the country begins to absorb and use the tsunami aid money? The World Bank President, James Wolfensohn, is said to have

suggested the creation of a web site to record the ins and outs of the tsunami cash. A necessary insult, but not a sufficient safeguard. Transparency and efficiency can only be achieved in any significant measure by empowering local communities and transferring decision making powers to provincial and other local bodies.

The survivors of the tsunami disaster deserve better than patronage handouts and top-down master plans from their government. The people of the world responded with extraordinary generosity to help the victims of the Asian tragedy. In every country, the citizens were a million bucks ahead of their governments in their generosity. The people forced governments to out-pledge each other to the global relief effort. Questions have been raised as to how much of the monies pledged will actually be delivered. In the BBC's 'Hard Talk' program, Barbara Stocking of Oxfam, London, assured that civil society organizations will keep the people power in flow to force donor governments to honour their commitments. What is equally important is to use the same power to make sure that the recipient governments and political groups do not betray the victims of the tsunami waves and that they are given the power and the resources to re-establish their own lives. ■

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LETTER FROM AMPARA

“A midst the outpouring of human emotions and sympathies for the affected people all over the country, a heartening phenomenon seen throughout these last seven days has been the immense mobilization at the people's level - those who have come forward in their voluntary capacities to help in this humanitarian endeavour with relief and other forms of assistance such as clearing concrete/debris and recovering dead bodies. The people (irrespective of ethnic differences) acted fast, stepped in before the government, which has been very slow to act in this moment of national emergency. Government presence in the form of immediate assistance was practically non-existent in these areas. And when the government did put its act together – the devastation in the South caught the attention of the Sinhala politicians fast. For days on end the state media relayed the destruction in the southern part of Sri Lanka. The Sinhala south has remained the vote bank and a scrambling space for the major parties including the JVP. The tsunami disaster was then another grim reminder that the Sinhala constituency had to be immediately taken on board. The devastation of the south was like a blade struck deep into the sensibilities of these politicians and party leaders who went on lamenting for days on end of the calamity, using the state media to the maximum. The devastation in the already war ravaged North – East was not a top priority until civil society groups and individuals who had visited these areas highlighted the bias in the media reports. Some politicians even made statements to the effect that a tragedy has struck the south – almost erasing from their historical memory that the people in the North-East had coped with tragedy after tragedy for the last 20 years!”

Faizun Zackariya

FROM RELIEF AND REHABILITATION TO PEACE IN SRI LANKA?

Kristian Stokke and N. Shanmugaratnam

The two worst-affected areas in the tsunami disaster – Sri Lanka and the Indonesian island of Sumatra – have both been suffering from intra-state armed conflicts. In the aftermath of the disaster, several political actors and commentators have pointed out that the present humanitarian crisis may actually constitute an opportunity for conflict transformation, as the scale and urgency of humanitarian needs may bring the protagonists together in joint efforts for relief and rehabilitation. The assumption is that practical collaboration in emergency assistance will yield communication and trust and lead to a political process of conflict resolution. UN Secretary General Kofi Annan expressed this view at a UN news conference on December 31, stating that: “We hope that this offers an opportunity both in Aceh and in Sri Lanka and that the protagonists are now working together to bring support to those in need. I hope that collaboration is not going to end with the crisis and that they will be able to build on that and use this new dynamic to resolve their own differences.”

Early reports on joint local disaster relief in Sri Lanka’s war-torn northeast province lend some support to this hypothesis. It is also noteworthy that the government of Sri Lanka has invited the LTTE to a joint coordinating disaster relief task force, that the leader of the Liberation Tigers of Tamil Eelam (LTTE) has extended his condolences “to our Muslim and Sinhalese brethren in the southern coastal areas”, and that many Sinhalese individuals, businesses and organisations have provided relief to the Tamil areas. However, the current politicisation of aid and the stalled peace process also demonstrate that there are major political obstacles to going from addressing humanitarian needs to conflict resolution in Sri Lanka.

Several newspapers, including the Washington Post and the New York Times, have reported that the Liberation Tigers of Tamil Eelam (LTTE) and the Sinhalese-dominated Government of Sri Lanka have found constructive ways to work together at the local level to deliver much needed relief to tsunami-affected areas. Within the territory they control, the Tigers have set up a joint task force comprising representatives of the government, international aid agencies and civil society groups to oversee the flow of international aid and coordinate relief programmes. Journalists, aid workers and individual relief donors have pointed to the effectiveness of the LTTE and the Tamil Rehabilitation Organisation to deliver humanitarian assistance on a mass scale under extremely harsh conditions and with limited material resources. The question now is what this local collaboration between LTTE, international aid organisations and local government representatives mean for the

prospect of a negotiated peace settlement at the national level. This question needs to be contextualised with reference to the politico-military realities and LTTE’s demands for self-determination in northeast Sri Lanka.

The undeniable reality of northeast Sri Lanka is that there are two structures of state power, which were locked in armed conflict for almost 20 years prior to the ceasefire agreement of February 2002. LTTE runs a de facto state, with military, administrative, policing, judicial and revenue-raising structures. Furthermore, the power of this rebel state is not confined to the LTTE-controlled areas but permeates society and state institutions throughout the northeast. While local state institutions have been seriously weakened during the past two decades of protracted warfare, the Tigers have systematically developed their own political structures and increased their ability to informally control the local state bureaucracy. LTTE have set up political offices in most parts of the province, brought most local NGOs under their coordination, and have developed a tax collection system that functions throughout the northeast.

The aforementioned local collaboration in tsunami disaster relief must be understood in this context. It is not an equal partnership between the protagonists of the conflict but an LTTE-led process, emerging from the areas they control but also extending into government territory. Rather than being a manifestation of national unity in a time of crisis, it is a continuation of LTTE’s state-building under their own leadership in the Tamil areas of Sri Lanka. LTTE’s ability to mobilise aid from the Tamil diaspora and international aid organisations and to deliver relief and rehabilitation in an efficient and accountable manner reinforces their legitimacy among the Tamil population as well as in the international community. While the tsunami might have weakened LTTE militarily, their efficiency in international resource mobilisation and local relief administration is likely to strengthen and transform LTTE as a political movement.

The LTTE and the government are both hard at work delivering local emergency relief while also working on their political standing in the international community and thereby the domestic balance of power. The LTTE has criticised the government for ignoring the humanitarian needs in the northeast and the Sri Lankan Army for creating obstacles for the relief efforts of the Tamil Rehabilitation Organisation in government-controlled areas. The government denies these as false accusations and instead charges the LTTE of hijacking government provisions and distributing them in their own

name. Recently, the government prevented UN Secretary General Kofi Annan from visiting LTTE-controlled regions during his tour of tsunami affected areas in Sri Lanka. Not long after the disaster, local relief and rehabilitation is already in the process of being politicised. In this situation, what are the prospects for moving from joint relief operations at the local level to a revitalised peace process?

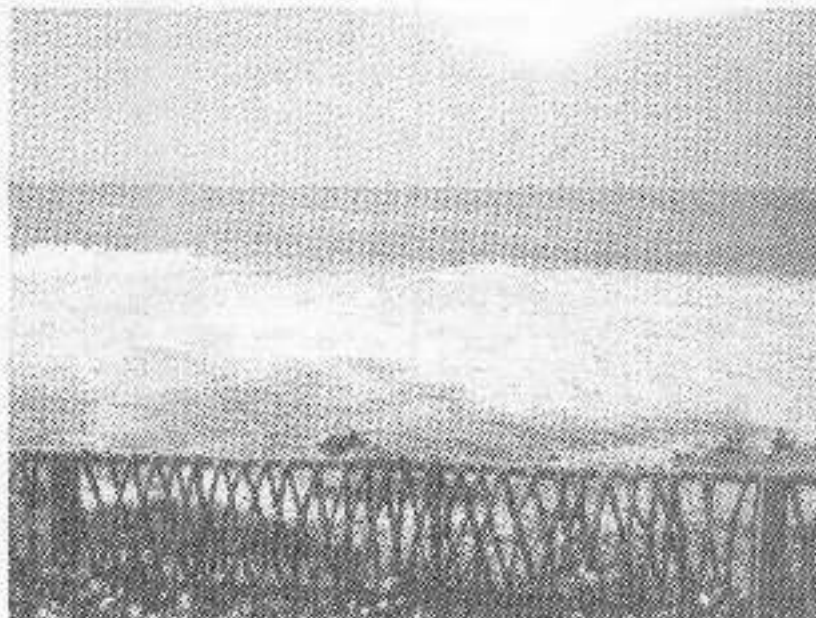
Sri Lanka's recent peace process (2001-2004) offers some valuable lessons in regard to this question. Most significantly, the peace process was characterised by an unusual sequencing of priorities, addressing immediate humanitarian needs in the war-torn areas before discussing political issues of power sharing and conflict resolution. Thus, the chosen approach came close to what is now prescribed as a way forward from disaster relief to peace in the aftermath of the tsunami disaster.

While the LTTE and the government agreed on basic development policy and the role of international actors, the question of development administration turned out to be highly contentious, as hinging upon the balance of power between the protagonists and the future arrangements for power sharing. The LTTE saw an interim administration with a fair degree of autonomy and a guaranteed position for the LTTE as an absolute necessity to ensure the fulfilment of both short-term development needs and long-term demands for internal self-determination. The Sinhalese opposition (including the President) feared that the interim administration would constitute a first step towards secession and hence saw it as a threat to the sovereignty of the unitary Sri Lankan state. The then

government found itself severely constrained by constitutional as well as political factors to satisfy the LTTE's demand. A recurrent pattern has been that attempts to create workable peace arrangements with the LTTE have been challenged by the political opposition in the South, as majoritarian Sinhala nationalism has been used to mobilise popular support against any step towards power sharing or regional autonomy. The government, holding only a small majority in parliament and facing a strong opposition to the peace process, was trying to find an interim arrangement within the limits of the unitary constitution. In the LTTE's view, such an arrangement would inevitably reduce them to a junior partner with little or no formal power. An interim authority proposed by LTTE was, however, seen by the Sinhalese opposition as a first step towards secession and hence as a threat to the sovereign unitary state. While showing that addressing immediate humanitarian needs may provide meeting points for the protagonists, this recent peace process also demonstrated that this approach politicises development administration and inevitably leads to the conflictual core question of constitutional and institutional reforms for power sharing and conflict resolution.

The current humanitarian disaster may provide new meeting points and modes of collaboration between the protagonists, but the lessons from the peace process show that there is a need to be realistic about the prospect of going from relief and rehabilitation to lasting peace in Sri Lanka. As before the tsunami, the critical question is whether the Sri Lankan political elite will be able to overcome their fragmentation and constructively engage with the challenges of a multi-ethnic society. ■

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THE SPECTRE OF A 'SECOND TSUNAMI' IN SRI LANKA: WHAT CAN WE DO TO PREVENT A HUMAN-MADE DISASTER?

N. Shanmugaratnam

We live in a world in which disasters are not uncommon. Let us not forget for a moment that millions of people have died and are dying of aids, malaria and starvation. The war in Iraq and the numerous intrastate wars in various parts of the world are so destructive of assets and livelihoods while taking a heavy toll of human life.

However, no disaster in our time has shocked the world and impacted on the human psyche and evoked sympathy for the victims on such a scale as the Asian tsunami. The explanation for this lies in the suddenness and the enormity of the havoc wreaked by the tsunami. Over 200,000 lives were lost and millions have been rendered homeless and displaced in a matter of seconds and minutes. The tsunami was a disastrous natural event from a human point of view. However, it is well known that the devastation would have been much less had we been forewarned and better prepared. That there is a human-made dimension to the catastrophic socio-economic effects of the tsunami is conveniently forgotten by the ruling elites, who keep calling the disaster a purely natural one. Blaming nature alone (and in this instance it sounds credible) helps the local rulers to cover up their failures. It has also helped those who failed to share the meteorological information they had about the advancing tsunami with the countries that were going to be affected.

The suddenness or the speed and the scale of the disaster have made it a humanitarian emergency of unprecedented proportions. They have also thrown up unprecedented challenges for reconstruction and development. Valuable human capital has been washed out. Millions of people have become pauperised in a moment. Local and regional economies have been destroyed. In the two worst affected countries, Indonesia and Sri Lanka, these challenges have acquired greater complexity because of their internal politico-military situations. In these countries, post-tsunami reconstruction cannot be separated from post-war reconstruction and development. The challenge is to turn the tsunami tragedy into an opportunity for conflict resolution and link reconstruction and development to peace building. Are these countries ready to face the challenge?

Let us take the case of Sri Lanka, where nearly 40,000 people were killed.

- * The tsunami has devastated around 70% of the coast and the interior up to more than 2 km, from the northernmost tip in the Jaffna peninsula through the entire north-east and the south and a part of the west coast up to the suburbs of Colombo.
- * A million people have been displaced.
- * Livelihoods of over 250,000 households ruined (fishers, farmers, shop owners and employees in tourism and other sectors).
- * Destruction of infrastructure, Businesses, other private assets.
- * Loss of vital documents including documents regarding property rights.
- * Unknown numbers of orphans, widows, disabled persons and victims of post-disaster trauma.

We need to place this tragedy in the larger context of our unresolved national question and the consequences of two decades of war in which over 65,000 lives were lost.

- * Around two thirds of the tsunami-affected coastline is in the war zone of the North-East.
- * 7-800,000 people were internally displaced due to war.
- * Extensive destruction and damage to infrastructure, regional economy and the environment.
- * Loss of livelihoods due to militarisation, displacement, wartime restrictions, and death and incapacitation of breadwinners.
- * Resettlement of the war-displaced has been extremely slow even three years after the Ceasefire Agreement (CFA) of February 2002.
- * New grievances and conflicts regarding livelihoods and access to land and water resources have emerged in the war-torn North East Province (NEP) as a result of the protracted war.
- * Communalisation i.e. the division of the Lankan polity along ethnic lines runs deep.
- * The peace process has been stalled for a long time and the political tensions between the UPFA government and the LTTE had reached a serious level just before the tsunami.

The question is: Can post-tsunami reconstruction be separated from post-war reconstruction & development? The challenge, if I may repeat, is to link reconstruction and development to conflict resolution and peace building. This involves:

- * An early revival of the peace process and reaching an agreement on an interim/transitional arrangement for the (NEP) while jointly working on a long-term political settlement.
- * Rebuilding the war-torn and tsunami-torn communities and their livelihoods.
- * Rehabilitation and sustainable development of coastal zone resource systems: human settlements, fisheries, coastal agriculture and forestry, recreation and tourism.
- * Overall socio-economic revival.
- * National reconciliation & reunification.

Today, there is an opportunity with some positive trends but there are some disturbing developments too.

Positive:

- * Unity and Solidarity across ethnic and religious divides: the tsunami has united people across ethnic and religious divides. People-people mutual help and harmony to their best in a decades in Sri Lanka.
- * Social movements support political settlement: Some social movements in the South are strongly supportive of a political settlement to the conflict.
- * The CFA has survived: The CFA of February 2002 continues to hold though with violations, and amid uncertainty.
- * Majority reject war and are for peace: Majority of the peoples of Sri Lanka (Sinhalese, Tamils, Muslims and others) reject war and favour a political settlement.
- * High potential for development: Development of the economy affected by war and tsunami has high potential for employment generation, equitability and national reconciliation if the right policies are chosen and if development can be governed by appropriate institutional arrangements.
- * International support for peace: The international actors involved in Sri Lankan affairs seem to favour a political settlement.

Negative:

- * Politicisation of official relief and reconstruction: Official tsunami relief and post-tsunami reconstruction have become divisively politicised along party and ethnic lines. Indeed, the tsunami became politicised from the moment it hit the coasts of Sri Lanka.
- * Centralisation and exclusion: There is an ongoing centralisation of the entire official relief and reconstruction operations under the direct control of the President. This is not likely to counter the divisive politicisation but will bureaucratise relief and reconstruction with adverse effects on the victims, while widening the communication gap between the government and the LTTE. Along with this is the trend of corporatisation of reconstruction, with the co-optation of business leaders into Task Forces and committees dealing with the planning and utilisation of foreign aid. The government has been taking major decisions regarding coastal human settlements and establishment of new urban centres

and towns in a totally top-down and authoritarian fashion under conditions of Emergency. There has not been any consultation whatsoever with the affected communities, local organisations and other stakeholders. People's organisations and social movements have objected to the government's failure to provide for representation of the affected communities in decision making. This centralist trend is conflict-insensitive and likely to have adverse effects on the peace process and the search for a solution to the national question based on autonomy and power sharing.

- * Militarisation: The rescue and relief operations have become militarised. Many stakeholders view this with grave concern. The government has ordered the state's armed forces to take over relief distribution in affected areas including the NEP. This has created new tensions between the government and LTTE. Even more disturbing is the arrival of troops from India, USA, Pakistan, UK and Canada for rescue and relief operations.

- * Reconstruction and development policy: There are concerns about the new regulations regarding resettlement of the displaced in coastal areas and about the high probability of a new wave of social exclusion and disenfranchisement in the name of reconstruction and development. There is fear of a 'second tsunami' - a metaphor coined by some Lankan activists to refer to a possible human-made disaster. This fear is not unfounded given the past experience of spatially and socially uneven development. Post-tsunami reconstruction has become almost entirely donor driven, like the neoliberal development of the past 27 years. One of the effects of the tsunami has been a further widening of the disparities in households' income and other entitlements between the western urban areas and the affected coastal areas. The government's approach has not shown sufficient sensitivity to this and other problems.

- * Ultrationalist opposition: There is opposition from ultrationalist groups to a peaceful resolution of the national question.

What can we do to prevent a 'second tsunami' ?

The short answer is: oppose the negative and support the positive tendencies. But this is more easily said than done. The tasks ahead are daunting. However, it is heartening to note that several organisations have already found common grounds to defend the rights of the tsunami victims and to expose the flawed policy and practices of the government. In a bizarre sense, the tsunami was a blessing to the government, which was on the verge of bankruptcy due to the lack of much wanted foreign aid that was held up due to the 'peace conditionality'. The tragedy opened another door of foreign aid to the government. Today, the government has been promised tsunami aid to the tune of USD 1.8 bn. The government as well as is obviously happy about this the debt freeze, which has provided a temporary relief from repayment of debt. This means the government does not have any major financial

constraints for the time being. On the other hand, how the money is going to be spent will decide the socio-economic and environmental outcome of the external aid received.

We need to recognise and face the challenge of linking post-tsunami reconstruction to peace and post-war reconstruction and development. This is the time to do it and we cannot afford to miss this historic opportunity. I submit the following ideas for discussion at the PPD sessions.

- Work towards creating a broad and principled alliance to resist the ongoing politicisation, centralisation, militarisation and corporatisation of relief and reconstruction; this involves the formulation of an alternative policy and an agenda for action.
- Demand a quick withdrawal of the foreign troops from Sri Lanka, and a non-military arrangement for relief and debris clearing operations.

- Mobilise the victims of the tsunami and discuss the proposed regulations on coastal settlement and land rights with a view to formulating the people's demands and developing an agenda for action.
- Defend the fishing rights of the small fishers and resist any attempt by government to weaken or deny their customary rights to fishing grounds.
- Organise a campaign for the immediate revival of the peace process.
- Expand the PPD process to include dialogues between tsunami victims from the South and war and tsunami victims from the NE (Tamils, Muslims and Sinhalese) with a view to strengthening solidarity and to learn new ideas regarding reconciliation, reconstruction and development.
- Mobilise international support for durable peace and inclusive and equitable development in Sri Lanka.

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EARTHQUAKES LED 18th CENTURY THINKERS TO ASK QUESTIONS THAT THE MODERN WORLD STILL SHIES AWAY FROM

Martin Kettle

God and the Tsunami

The modern era flatters itself that human beings can now know and shape almost everything about the world. But an event like the Indonesian earthquake exposes much of this for the hubris that it is.

Perhaps we have talked so much about our civilization's potential to destroy the planet that we have forgotten that the planet too has an untamed ability to destroy civilization. Whatever else it has achieved, the Indian Ocean tsunami has at least reminded mankind of its enduring vulnerability in the face of nature. The scale of suffering that it has wreaked shows that we share such dangers with our ancestors more fully than most of us realized.

An entirely understandable reaction to such an event is to set one's face against any large questions that it may raise. But the disaster provides an unsought opportunity to consider the largest of all human implications of any major earthquake: its challenge to religion.

A few days after the 9/11 attacks on New York, I had dinner with the Guardian's late columnist Hugo Young. We were still so close to the event itself that only one topic of conversation was possible. At one stage I asked Hugo how his Catholicism allowed him to explain such a terrible act. I'm afraid that's an easy one, he replied.

We are all fallen beings, Hugo declared, and our life in this world is a vale of tears. So some human beings will always kill one another. The attack on New York should therefore be seen not as an act of God, but as an act of fallen humanity. Then he paused, and added: "But I admit I have much more difficulty with earthquakes."

Earthquakes and the belief in the judgment of god are, indeed, very hard to reconcile. However, no religion that offers an explanation of the world can avoid making some kind of an attempt to fit the two together. And an immense earthquake like the one off Sumatra inevitably poses that challenge afresh, in dramatic terms.

There is, after all, only one big question to ask about an event of such destructive power as the one that has taken place: why did it happen?

As with previous earthquakes, any explanation of this latest one poses us a sharp intellectual choice. Either there is an entirely natural explanation for it, or there is some other kind. Even the natural one is by no means easy to imagine, but it is at least wholly coherent.

The tsunami took place, say the seismologists, because a massive tectonic rupture on the sea bed generated tremors through the ocean. These

unimaginable forces sent their energy coursing across thousands of miles of water, resulting in death and destruction in a vast arc from Somalia to Indonesia.

But what do world-views that do not allow scientists undisputed authority have to say about such phenomena? Where do the creationists stand, for example? Such world views are more widespread, even now, than a secularized society such as ours sometimes prefers to think.

For most of human history people have tried to explain earthquakes as acts of divine intervention and displeasure. Even as the churches collapsed around them in 1755, Lisbon's priests insisted on salvaging crucifixes and religious icons with which to ward off the catastrophe that would kill more than 50,000 of their fellow citizens.

Others, though, began to draw different conclusions. Voltaire asked what kind of God could permit such a thing to occur. Did Lisbon really have so many more vices than London or Paris, he asked, that it should be punished in such an appalling and indiscriminate manner? Immanuel Kant was so amazed by what happened to Lisbon that he wrote three separate treatises on the problem of earthquakes.

Our own society seems to be more squeamish about such things. The need for mutual respect between peoples and traditions of which Queen Elizabeth spoke in her Christmas broadcast seems to require that we must all respect religions in equal measure too.

Yet it is hard to think of any event in modern times that requires a more serious explanation from the forces of religion. Voltaire's 18th century question to Christians - why Lisbon? - ought to generate a whole series of 21st century equivalents for all the religions of the world.

Certainly the tsunami generated by the quake made no attempt to differentiate between the religions of those whom it made its victims. Hindus were swept away in India, Muslims were carried off in Indonesia, Buddhists in Thailand. Visiting Christians and Jews received no special treatment either. This poses no problem for the scientific belief system. Here, it says, was a mindless natural event.

From at least the time of Aristotle, intelligent people have struggled to make some sense of earthquakes. Earthquakes do not merely kill and destroy. They challenge human beings to explain the world order in which such apparently indiscriminate acts can occur. Europe in the 18th century had the intellectual curiosity and independence to ask and answer such questions. But can we say the same of 21st century Europe? Or are we too cowed now to even ask if the God can exist that can do such things? ■

Courtesy, *Guardian*, Weekly 7-13 January 2005.

IN DEATH, IMPERIALISM LIVES ON

Jeremy Seabrook

The number of fishing boats from Sumatra, Sri Lanka and Tamil Nadu at sea when the Boxing Day tsunami hit will never be known. There is scarcely any population tally of the crowded coasts. Nameless people are consigned to unmarked graves; in mosques and temples, makeshift mortuaries, people pull aside a cloth, a piece of sacking, to see if those they loved lie beneath. As in all natural disasters, the victims are overwhelmingly the poorest.

This time there was something different. The tsunami struck resorts where westerners were on holiday. For the western media, it was clear that their lives have a different order of importance from those that have died in thousands, but have no known biography, and, apparently, no intelligible tongue in which to express their feelings. This is not to diminish the trauma of loss of life, whether of tourist or fisherman. But when we distinguish between “locals” who have died and westerners, “locals” all too easily becomes a euphemism for what were once referred to as natives. Whatever tourism’s merits, it risks reinforcing the imperial sensibility.

For this sensibility has already been reawakened by all the human-made, preventable catastrophes. The ruins of Galle and Bandar Aceh called forth images of Falluja, Mosul and Gaza. Imperial powers, it seems, anticipate the destructive capacity of nature. A report on ITN news made this explicit, by referring to “nature’s shock and awe.” But while the tsunami death toll rises in anonymous thousands, in Iraq disdainful American authorities don’t do body counts. One of the most poignant sights of recent days was that of westerners overcome with gratitude that they had been helped by those who had lost everything, but still regarded them as guests. When these same people appear in the West, they become the interloper, the unwanted migrant, the asylum seeker, who should go back to where they belong.

A globalisation that permits the wealthy to pass effortlessly through borders confines the poor to an impoverishment that seems to have no end. People rarely say that poor countries are swamped by visitors, even though their money power pre-empts the best produce, the clean water and amenities unknown to the indigenous population.

In death there should be no hierarchy. But even as Sri Lankans wandered in numb disbelief through the corpses, British TV viewers were being warned that scenes that they were about to witness might distress them. What are the daily visitations of grief and loss in places where people earn less in a year than the price that privilege pays for a night’s stay in a five-star hotel?

Western governments, which can disburse so lavishly in the art of war, offer a few million as if it were exceptional largesse. Fortunately the people are wiser; and the spontaneous outpourings of humanity have been as unstoppable as the waves that broke on south Asia’s coasts; donations rapidly exceeded the amount offered by government. Selflessness and sacrifice, people working away at rubble with bare hands, suggest immediate human solidarities.

Such events remind us of the sameness of our human destiny, the fragility of our existence. They place in perspective the meaning of security. Life is always at the mercy of nature - whether from such overwhelming events as this, or the inevitability of death. Yet we inhabit systems of social and economic injustice that exacerbate the insecurity of the poor, while the west is prepared to lay waste distant towns and cities in the name of a security that, in the end, eludes us all.

Assertions of our common humanity occur only at times of great loss. Too hold on to it at all other times - that would be something of worth to salvage these scenes of desolation. ■

Courtesy, *Guardian Weekly* 7-13 Jan 2005

Jeremy Seabrook is the author of *Consuming Cultures: Globalisation and Local Life*.

HOW TO TELL A STORY

Susan Llewelyn Leach

One Indian columnist calls the coverage of tsunami a "corpse show." What happened to the restraint and sensitivity shown in the aftermath of 9/11? asks Ashok Malik in the national daily Indian Express. Other critics talk of "disaster porn" and point out that such images deprive the grieving of their privacy and the dead of their dignity.

As media coverage of the Asian tsunami slowly recedes from the front pages and the network news, the stark images linger: soldiers throwing bodies into mass graves, babies lined up in a morgue, excavators clawing the dead from piles of debris, a mother sitting by her lifeless child, her head thrown back in agony.

Haunting in their intensity, the images and news footage of the largest natural disaster in decades have helped fuel a massive outpouring of aid and individual donations - and also a wave of criticism.

Natural disasters, manmade calamities, and wars all produce imagery that can shock and sometimes offend. Yet how the media communicate the magnitude of an event depends heavily on who the audience is and how far they are from the unfolding drama.

So can a tragedy on the scale of the tsunami - with 150,000 dead, and counting - be conveyed to an audience a world away without graphic images of death?

"As horrific as the photos are, the danger - particularly with the Western public - is of being able to turn away from poor, brown-skinned people and their suffering," says Kelly McBride, ethics group leader at the Poynter Institute, a journalism school in St. Petersburg, Fla.

"So you have to err on the side of showing them more rather than less," showing them photos that are "outside normal parameters."

At the same time, she says, the media are obligated to minimise the harm. "Perhaps you don't show bodies that are identifiable, perhaps you don't show the most graphic images."

That ethical imperative was given broad interpretation in the tsunami's aftermath. Networks awash in footage that could have come from disaster movies were sometimes accused of double standards and broadcasting gratuitous gore, even as their ratings soared.

"In death, there should be no hierarchy," Jeremy Seabrook of *The Guardian* wrote Dec. 31. "But even as Sri Lankans wandered in

numb disbelief through the corpses, British TV viewers were being warned that scenes they were about to witness might distress them."

The *New York Times* got heat from readers for a huge front-page photo Dec. 28 of a grief-stricken mother crouched beside rows of tiny children, all dead. Daniel Okrent, in his public editor's column, said many readers called it "exploitative," "disrespectful," and "unduly graphic." The managing editor responded that it was "an indescribably painful photograph, but one that was in all ways commensurate to the event."

In the first 24 hours, before the extent of the tragedy was known, coverage was more subdued. The images became more vivid only as the immensity of the tragedy became apparent and news outlets felt an urgency to communicate the enormity of what had happened, analysts say.

Yet that line between exploitation and depiction of reality can be a hair's breadth of opinion.

Public outcry

What creates public outcry is people's belief that the media are using images as a marketing ploy - to get attention, entice them to buy the paper, or stop them from changing channels, says Susan Moeller, professor of media and international affairs at the University of Maryland.

"Even when the public is distressed by difficult images," she says, "if that news outlet is transparent about its reasons for running those pictures ... there has generally been very little outcry and protest, and often support for that ethical decision."

"And sometimes the most graphic images are not the ones of those who died, argues McBride, but of those who lived. "That's what people find the most intrusive," she says, recalling a widely used photograph of a middle-aged man in agony as his child lies before him. "What's disturbing about that picture is not the dead body."

What's disturbing is the horrific grief that he's going through. It's an intensely private moment."

One significant factor in determining how the media use images of death is the proximity of the event. "If something is geographically distant and psychologically distant as well - [with] no close emotional ties to the area - then the home media is a lot more likely to use graphic images," says Professor Moeller.

Coverage of the Madrid bombing last year bears that out. The US media were much more explicit in depictions than the Europeans were, she says. "British papers and TV, for example, were just about as reticent as the American media had been in 9/11," she says. "In other words, they really didn't show body parts."

In a reverse case, coverage of the twin towers' collapse often got more stark play outside the US. Most Americans identified with the people in those towers, explains Jim Naureckas, editor of *Extra*, a journal of media criticism put out by FAIR (Fairness and Accuracy in Reporting). They didn't need to see more than discreet images of death to understand the carnage, he says.

"If you were in another country where people who live in New York might be an abstraction, then seeing the actual person jumping out the window might have brought you closer to the event." In that vein, Ashok Malik's criticism of the networks' "Maniacal Grisly Tour" was fair to a point, says McBride.

The difference from 9/11 is scale: 150,000 deaths versus 3,000, where most of the bodies were incinerated. "If you're talking about just death and suffering alone, the tsunami wins. It merits more coverage," McBride says.

Hierarchy

In addition, one-third of the tsunami victims were children. The ethical imperative of bringing the tragedy home is greater when children are involved, Moeller says. It's what she refers to as the "hierarchy of innocence" - a hierarchy of people we are supposed to care about.

We care about children more than we care about adults, she says; we care about pregnant women more than middle-aged ones; women more than men. But at the top are children.

"Inasmuch as this is not only a tragedy about 150,000 dead and villages lost and economies fragmented, but it's a story about families, a story about children," Moeller says. "I think that particularly has made it important for the media to bring the story home to us."

Coverage of natural disasters can seem straightforward, however, compared with that of wars, where politics often trumps ethical

standards. While tsunami victims dominated the news, some blogs and letters to the editor noted that 100,000 civilians and 1,300 US soldiers had been killed in Iraq. Yet few of those dead appeared in the media.

The reason is simple. The media would be labeled unpatriotic and accused of undermining the war effort, Mr. Naureckas says. "You can't put a picture of a US soldier killed in action in a US newspaper," he says. "It would be considered a terrible affront."

The standards for war coverage also shift according to whose war it is. Early in the invasion of Iraq, Iraqi forces put American POWs and dead soldiers on public display.

The US government declared it a war crime, citing the Geneva Convention. When Saddam Hussein's sons were killed and their corpses displayed by the US military, much of the media praised the move.

"[In one case], showing off dead bodies was considered something so brutal that only a monstrous dictator would do it," Naureckas says. "In the other case, it was shown as something that was a shrewd PR tactic."

If the war wasn't ours the coverage would be different, concurs McBride, who says "There is a serious timidity among the press in America right now to challenge the administration on its policy in Iraq."

Not to show the wider breadth of war's cost is a mistake, Moeller adds. She offers the case of Ali Abbas, a 12-year-old Iraqi who lost his entire family and both his arms when a US rocket hit their house. The boy, who went to London for treatment, got extensive press coverage in Europe and became the poster child of sorts for the British Boy Scouts. In the US, his name is barely known.

"There was a choice that US news editors and producers had to make," Moeller says. "Are you going to show at the time what we thought was a heroic rescue of a blond American soldier [Jessica Lynch], or are you going to show the collateral damage, the injured civilian child, of our bombing policies?"

"In the midst of the war," she says, "it was apparently an easy decision." ■

Susan Llewelyn Leach, is a staff writer of *The Christian Science Monitor*

THE ROLE OF LOCAL SOLIDARITY IN SRI LANKA'S TSUNAMI DISASTER RESPONSE

Simon Harris

When disaster strikes people often want to help out in any way that they can. In those countries not directly affected the most common and practical form of individual assistance is through donations in cash or kind to aid organisations or national emergency appeal funds. However, for those people actually living in the affected countries, contributing financially often is not enough. They want to be physically and directly involved. This article examines the motivation and impact of local solidarity in Sri Lanka's disaster response and assesses its possible implications for official relief and reconstruction efforts.

Faced with a humanitarian disaster of unprecedented suddenness and scale the Sri Lankan government struggled to respond to the emergency needs of the affected areas during the immediate aftermath of the tsunami. However, almost before the state services had time to recover many of these needs were already being addressed through the massive mobilisation of ordinary citizens on an individual or collective basis across the country.

Thousands of people on their own initiatives, in small groups or through informal networks of family, friends or work colleagues, took it upon themselves to travel to the affected areas to offer direct assistance in searching for survivors, transporting them to hospitals, retrieving the dead and delivering medical supplies, food, shelter and clothing. Many more supported this effort in the capital and other cities, towns and villages throughout Sri Lanka by collecting donations in cash or kind, purchasing and organising the delivery of relief goods. Beyond the initial emergency phase of the response many of the more affluent individuals and groups have subsequently become directly involved in establishing their own reconstruction efforts by renovating schools and sponsoring the construction of new homes for those whose houses were damaged or destroyed by the tsunami.

Individual Assistance

Why did so many Sri Lankans choose to engage in direct individual humanitarian assistance rather than supporting existing appeals such as President's Fund for Disaster Relief, the work of respected local NGO's like Sarvodaya or through international organisations with an established presence in the country such as Oxfam or Save the Children? Informal discussions with a number of individuals involved in personal relief efforts during the first few weeks of the disaster response revealed four basic rationales: compassionate solidarity, cathartic healing, a sense of spectacle and a distrust of official avenues for aid and assistance¹.

Firstly, compassionate solidarity. Everybody seemed to know someone who had been affected by the disaster and everyone was familiar with the areas concerned. Connections with affected regions through ancestral villages, as previous holiday destinations, through work colleagues, old school friends, employees or faith based affiliations, personalised the linkages between the victims of disaster and those who were not directly involved. Connections on these levels seemed to further demand a personalised approach to humanitarian assistance.

This primary rationale was closely linked with the psychological impact of disaster on the unaffected 'survivor'. Many of those who were fortunate enough not to have been on the coast at the time found difficulty coming to terms with comprehending the enormity of the disaster and experienced unease over the fact that it had passed them by whilst so many others had died, been injured or displaced. Others, who had experienced lucky escapes wanted to return to the disaster site to help in the relief effort. For both, there was a sense that direct involvement in humanitarian assistance would provide some form of cathartic emotional healing, almost through a sort of atonement for having survived.

A third motivating factor was the sense of spectacle that had been created by the devastation. Many people felt that they just needed to see for themselves what had happened. This was not generally in the context of disaster tourism, although such voyeurism did exist on a small scale, but was more closely aligned with the psychological needs of the unaffected survivor described above. Whilst the direct delivery of aid on an individual basis enabled many Sri Lankans to both exercise their compassionate solidarity with those affected and start to expunge some of the personal psychological traumas associated with the experience of a national disaster, there was also a widely expressed fourth rationale which highlighted popular perceptions concerning the governance of official national and international humanitarian aid efforts.

There was a widespread belief that monies channelled through national relief funds or local organisations would somehow be abused and may not reach the intended beneficiaries. Common criticisms of the official humanitarian efforts included the influence of corruption, political self-interests and the lack of transparency or accountability. International organisations were also criticised for their high operational overheads which were seen to reduce the amount of funding available for those in need. Direct individual assistance was viewed as a guaranteed strategy to ensure that personal relief contributions reached the hands of the intended

beneficiaries without incurring any institutional operational costs. What then was the impact of such personal humanitarian assistance? During the first few days following the tsunami individual aid efforts undoubtedly helped back-stop delays in the government and international community's response for affected communities in many areas. It was however a hugely ad hoc affair. Many areas, particularly the more remote welfare camps and villages, received little or no independent support and the content, quality and utility of personal aid efforts varied enormously. Informal assistance seemed to play a valuable role when it was provided on the basis of a personal contact within a specific affected area and where the beneficiaries were consulted in advance regarding their specific needs and requirements. Where it worked less well was when well-meaning individuals attempted to deliver relief items to an affected area with no local contacts or appreciation of the needs. In such circumstances inappropriate aid was often dumped at the first available welfare camp irrespective of whether it was wanted or not.

In the longer term, as the relief phase of the emergency response turns to recovery and reconstruction, villages are already being adopted by concerned individuals and small groups who believe that they can rebuild properties quicker, more cost effectively and with greater sensitivity to beneficiary needs than the efforts of the state and international agencies. With Sri Lanka's track record of aid absorption standing at only 14% they may be right. Perhaps, as the Sri Lankan Government's Task Force For Rebuilding the Nation and the World Bank considers the modalities of constructing 80,000 new homes, they should reflect on the possibilities of engagement with private individual assistance in getting the job done.

Notes

¹ Informal discussions with about 30 individuals and direct involvement in two small scale informal relief missions. ■

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LIMITS OF AID

Sunil Bastian

When the tsunami hit Sri Lanka I was in the UK. On Boxing Day I woke up to the news of the death toll. When I realised that it had hit the southern and eastern parts of the country I knew that the death toll would rise rapidly. It was not easy for me to deal with the disaster from this distance. There were of course frantic calls to find out about relatives and friends. The news that my immediate family was safe calmed me down. But some of my friends were affected and I am still in the process of finding out their fate. My frustration about the situation that I was caught in was mostly because I could not be a part of the relief efforts in Sri Lanka. I knew that my friends in civil society would be working day and night. I tried to calm down by doing my bit from the UK.

What happened afterwards showed that this was truly a globalised disaster. The disaster hit a number of countries. The numbers affected were significant. People in the countries affected had friends and relatives settled down and working in many other parts of the world, especially in the developed countries and in the Middle East. Phone lines to Sri Lanka from UK were jammed by relatives and friends trying to find out what had happened to their loved ones. I am sure the same situation would have prevailed in the Middle Eastern countries where many Sri Lankans work. The tsunami also caught many tourists from Europe and elsewhere who were on holiday. As the numbers are totted up, it looks as if for many European counties this has been the worst disaster since the Second World War, in terms of number of people killed or missing. The human linkages that cut across the globe due to the movement of people for work, to settle or for leisure has made this disaster truly a global one. Finally there was the fantastic coverage by the media, which brought the impact of the disaster to the homes of the people in the UK.

Globalised Response

The globalised disaster has brought a globalised response in mobilising aid. What was heartening to note was the response from the population. In the UK contributions by the people actually pushed the government to be more generous. Fortunately, for Sri Lanka natural disasters do not create political issues like the war in Iraq. Hence the response to tsunami was very different from the insensitivity to the equally significant human costs of the conflict in Iraq. The collections from the population and pledges from the governments have surpassed all expectations. For once we saw the positive side of globalisation on a mass scale.

Whatever might be the future complications associated with these aid flows, Sri Lanka has to be grateful for this assistance. There is no way that Sri Lanka could rebuild the affected areas and

rehabilitate the population without this support. This is especially true for immediate relief and large scale infrastructure development. In these aspects of relief and rehabilitation foreign assistance not only brings in much needed resources, but also knowledge and expertise.

While acknowledging the importance of aid at this moment for the affected countries, it is also necessary to clearly identify the limits of what development aid can do in the long term rehabilitation process. There is a need to focus on this aspect not only because of the impressions often created by the media in developed countries which affect public perceptions in donor countries, but also because of some of the ideas that currently dominate aid agencies. For example, in the TV news coverage of the tsunami, one of things that I sorely missed was, the spontaneous response from the population which I could not be a part of. Compared to the coverage given to the organised aid flow, there were snippets of the popular response from the Sri Lankan people, such as some people bringing food parcels to distribute at the height of the disaster or a group of people getting together to repair a school. But this was depicted as being insignificant compared to what needs to be done. In fact one TV news item from Galle depicted a food distribution effort by a small group of people as ad hoc and disorganised. The search was for large scale organised efforts supported by aid and probably directed by aid agencies. These perceptions are bound to continue in the debate about whether aid is getting to the right place. Many would look towards the management structures of aid agencies in order to ensure that the aid achieves what it is meant to do, and that it makes a difference.

Local Response

These ideas ignore two fundamental principles that aid efforts have to keep in mind if they are to make any difference to the lives of the population affected, especially in the long term. First, that there is a huge response from the Sri Lanka population to disasters like this, and in order to achieve positive outcomes that benefit Sri Lankans, it is necessary to base outside efforts on such local initiatives. Second, ignoring the primacy of the internal processes to bring about change has extremely dangerous political implications which have brought disasters to many parts of the world.

In order to understand the local responses it is necessary to look at different levels of society ranging from the individual, family, kinship group, workplaces and hundreds of civil society organisations scattered a round the villages and towns of Sri Lanka. By civil society organisations I do not mean only the donor

supported NGOs, but numerous other organisations formed through voluntary initiatives.

A few days after the event there were already reports of individuals leaving welfare centres. This meant individuals were beginning to take care of themselves by making use of what ever resources they had. These resources are not only material, but social as well. Support from family and kinship groups has always been a safety net for many people in times of need and disasters. These networks are bound to play a role in this instance. I have heard of many efforts by civic organisations at various levels in society. Offices and factories started initiatives to look for workers and their families in order to help them. Similar efforts are being reported from schools. Professionals have been volunteering. There are other initiatives started for totally other reasons. For example, some friends of mine who have been regularly visiting game parks for holidays, have organised themselves to go into that area and help families of workers in these parks. If we can sum up all that has been going on in Sri Lankan society it will amount to a tremendous effort. In the long run it is these efforts that will help Sri Lanka. Aid agencies need to make use of these efforts if their work is to have a positive outcome.

Aid Agencies

It is necessary to remind the aid agencies of this simple message because the dominant ideas and practices that prevail in these agencies are based on something completely different. Although aid agencies always employ a rhetoric of ownership and participation, in order to emphasise the key role that aid receiving countries should play in implementing donor supported projects, a closer look shows that the fundamental ideas behind many projects come from the discourses of the aid agencies themselves.

Foreign aid began with the objective of assisting developing countries in the area of economic development. From this it has expanded now to include a whole host of other areas. These include reforming the entire structure of the state, establishing democracy, protecting human rights, ensuring gender equality, protecting the environment and, in countries like Sri Lanka affected by conflicts, resolving conflicts and changing age-old attitudes. It has become an agenda that encompasses almost every aspect of the life of the recipient countries. It amounts to a total transformation of aid receiving countries including individual attitudes. Looked at this way it has many similarities with the civilising agenda of the colonial project. In many instances there are no troops occupying these countries. But there are resources and ideas that flow into the recipient countries in order to achieve these objectives.

In order to fulfil this agenda, aid agencies usually make huge generalisations. Due to the very nature of their business these agencies have to make policies globally. In order to make their task easier, they rely on broad generalisations which group very

different societies under a single category. For a long time we had the fantasy of the 'Third World'. If this was a category that dominated the field of development, a similar construction is the notion of 'failed states' which is now doing the rounds to characterise societies torn apart by conflicts. These are huge generalisations that hinder rather than clarify our understanding of these societies. They are unable to capture the specificities of these societies. It is also a denial of the histories of these countries and often demonstrates intellectual laziness. Sometimes agencies working with these categories do not even utilise the knowledge already available about these societies in order to unravel their specificity.

Secondly, the subtext that underlies much of these transformations of recipient societies believes that western capitalist democracies have found answers to all problems faced by humanity, and what we need to do is to implement these in post-colonial societies. Therefore to promote economic growth, we just have to liberalise markets. Democracy means liberal democracy and one needs to establish elements of liberal democracy like free and fair elections, political parties, parliaments and strengthen civil society. This 'end of history' thesis means that the answers to all problems faced by post-colonial societies are already there, no new answers can come from them and all that we need to do is to implement them.

Donor Rhetoric

The final assumption is that donor supported projects are the key factor that brings about this transformation. Poverty is to be alleviated, not through the day to day struggle of the poor in the context of the destructive effects of the market forces or through their political mobilisation—but through donor supported projects. In achieving democracy the focus is once again on projects and not on social forces that can hinder or promote democratisation. As mentioned, there is always rhetoric about the importance of ownership on the part of the recipient countries for aid projects to succeed. However this ownership and participation is on the basis of fundamental ideas and decisions brought from outside. The countries themselves have very little chance of generating their own ideas about economic and political development. The sum total of these ideas can amount to another western civilising agenda as occurred during colonialism. From this to the next step of promoting democracy with troops, occupation and bombs, as is happening in Iraq, is a short step.

One can easily imagine how these ideas can dominate the tsunami rehabilitation efforts. If rehabilitation is seen primarily as an effort of aid agencies they will look at the affected population on the basis of broad generalisations. Terms like Internally Displaced Population (IDPs) will be used to identify people affected. I have already seen this term in documents coming from Sri Lanka. They will be IDPs whether they are in Sri Lanka or Aceh. The affected people will get homogenised in this manner so that agencies can plan and act. They will not be seen as a part and parcel of social

relations and structures signifying class, caste, ethnic, religious or any other category relevant to these societies. Class will be a term that will be especially shunned. These are the social structures through which people have existed before the tsunami struck. The impact of the tsunami is also mediated through them. By the use of the terms like IDPs the agencies will not only miss this social dynamics but will also deprive people of their identities.

Promoting Markets

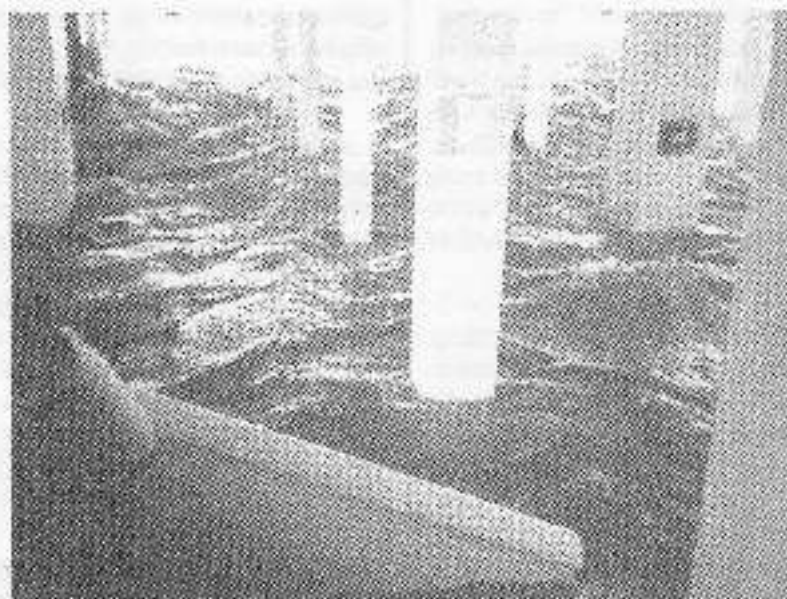
When it comes to economic development, there will be a relentless promotion of markets. There will be some relief from the pressures of the market in the short term. But there will not be any serious questioning of fundamental ideas that have dominated economic development. It is interesting to monitor how far the aid money that will flow in because of the tsunami will be utilised for this purpose. Often disasters provided opportunities to overcome the resistance of the population and promote the interests of capital. One example is the debate about the policy of not allowing construction within 100 meters of the coastline. The dynamics of the development model has a lot to do with the fact that many poor people live along the coastline, sometimes as squatters or illegally occupying land next to the sea. They have been there open to the ferocious attack of the tsunami either because they could not either afford to live in any other place or had been

virtually pushed to the coastline to make way for new developments. The fishing community have lived there in order to ensure their meagre living. They could be removed under the guise of rehabilitation from these locations without providing a proper alternative so that the big developers can be given access to this land. Therefore the poor, who have already been hit by the opening up of markets before the tsunami, will have to struggle with the same forces, now with the devastating impact of the disaster.

Asking Questions

A major question that many people in Sri Lanka will be asking in the context of this large flow of aid for tsunami rehabilitation is whether there will be room to question some of these fundamental ideas that have dominated aid agencies' in the country. A space that will allow not only a questioning of the broad generalisations and dominant ideas in economic and political development with which they work, but also give opportunities to ideas that get generated locally. During the last two decades, aid agencies have become a key political actor in Sri Lanka. Their role has been important both in the promotion of capitalism and in trying to find a solution to the civil war. With this large aid flow their political role will be enhanced. How they will make use of this new found influence will be critical for the future of Sri Lanka.

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A LONG-TERM COMMITMENT TO THE TSUNAMI'S VICTIMS

Rodrigo de Rato

The South Asian tsunami disaster has produced an outpouring of humanitarian assistance for the victims who are beginning to rebuild their shattered lives and communities. Aid commitments from governments, in international agencies, voluntary groups and private citizens are certainly very heartening and welcome. But now comes the hard part.

As the headlines fade and the cameras move on, the international community must meet its commitments for assistance well into the future. Only if promises are honoured can we meet the tremendous demands of reconstruction. At the same time, it is essential that donor countries are not diverted from addressing the undiminished needs of other developing nations that face the daily ravages of poverty, hunger and disease.

The international community's responsibility to the tsunami victims was clearly recognized at the January 6 gathering of heads of state and other senior officials in Jakarta. For those of us in attendance, the enormity of the task ahead was daunting. The recovery will be no doubt take time. Thus, it is extraordinary to witness the unprecedented support of governments and international organizations. The United Nations in particular deserves plaudits for its work coordinating the aid effort.

Although it is too soon to calculate the financial cost of rehabilitation and reconstruction, there can be no doubt that it will be high. Governments and international organizations already have pledged some US\$4 billion in the form of grants and soft loans, and several donors have indicated that their contributions could rise. UN Secretary General Kofi Annan has announced that US\$970 million is available immediately to meet the immediate needs of the relief effort.

In addition, a number of participants have called for debt relief to the affected countries. In the first instance, a temporary moratorium on payments of up to one year has been offered to affected countries by Paris Club creditors. The need for any additional relief will be

considered at a later stage once the financial implications and needs of the affected countries become clearer.

The affected countries have widely varying needs and capacities, but it is extremely important that given the devastating losses as much assistance as possible be provided as grants. In some cases concessional loans and debt relief also may have a role to play.

The International Monetary Fund is prepared to offer all assistance at its disposal. The Fund can provide advice and technical assistance in assessing the macro-economic impact and budgetary and balance of payments needs stemming from the disaster. In this regard, we are prepared to send IMF teams to help as soon as countries are ready. The Maldives has already requested such assistance and a team will arrive there shortly.

The Fund is also prepared to quickly make available sizable loans under our emergency assistance policy. This financing, which could be on the order of US\$1 billion for the most affected countries, could be made available without an IMF program. We are also taking steps to make assistance available on concessional terms for low-income countries. The Fund is also willing to consider requests to defer debt repayments. Sri Lanka has already been granted a deferral of its repayments, and taken together with a request for new funding, the Fund could provide Sri Lanka with the equivalent of US\$250 million of assistance.

It is too early to fully assess the overall economic impact of the disaster. Some of the countries hit by the tsunami enjoy solid overall economic fundamentals, and they also will continue to benefit from the strong growth currently being experienced by the world economy. However, it is clear that the impact on specific sectors in individual countries especially fishing and tourism will be major, and in some smaller countries this will have a significant macroeconomic impact. We must all work together now and in the long run to help those affected by the tsunami rebuild their lives as quickly as possible. ■

Courtesy, *Financial Times*, 18 January 2005

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TSUNAMI COULD THROW NEARLY 2 MILLION MORE INTO POVERTY

ADB in its latest assessment says Sri Lanka, Maldives most affected but pins hope on resilience to recover fast

MANILA, PHILIPPINES (13 January 2005) – The wall of water that ripped across southern Asia last month, killing more than 150,000, could throw nearly 2 million additional people into poverty, according to a report released today by ADB.

“The poverty impact of the tsunami will be enormous,” said Ifzal Ali, Chief Economist with the Manila-based multilateral development bank. “Poverty is potentially the most important effect of this natural disaster.”

In Indonesia alone, nearly 1.0 million people could be thrown into poverty by the lingering effects of the tsunami’s devastation. In India, the number of poor in the country could increase by 645,000. In Sri Lanka, the figure is estimated at about 250,000. In the Maldives, about half of the country’s houses were affected and more than 50% of the population could fall into absolute poverty resulting in 23,500 additional people going below the poverty line.

As devastating as the disaster is to the people affected areas, Asia’s resilience to external shocks will play a role in minimizing the impact the disaster will have on the region’s overall economic growth, according to Mr. Ali.

“This is a profoundly tragic event for the region and for the millions who are suffering,” said Mr. Ali. “But the economies of the affected countries except Sri Lanka and the Maldives should emerge with minimal damage.”

In Indonesia, India, and Thailand, the damage is largely confined to rural areas rather than key economic and densely populated urban centers and industrial hubs that drive the region’s economic growth, according to the report, which was produced by ADB’s Economic Research Department and titled “An Initial Assessment of the Impact of the Earthquake and Tsunami of Dec. 26, 2004, on South and Southeast Asia.”

In Indonesia, the damage is concentrated in Aceh province, which accounts for 2% of Indonesia’s overall GDP. The oil and natural gas facilities in the area appear to have survived intact. In India, the economic impact should be minimal as well due to the huge size of the country’s economy and the damage. The macroeconomic impact is also expected to be minimal in Bangladesh, Malaysia, and Myanmar.

In Thailand, the damage was centered on southern resort areas that contribute about 3% to the country’s GDP. The greatest risk to the country’s economy comes from the possibility of tourists perceiving Thailand as an unsafe destination.

“The rest of the country should not be affected unless there is some sort of negative perception about the country’s safety that leads to a domino effect,” the report states. “This can be overcome by a well-designed advertising campaign. Tourism in the region will likely recover sooner after this disaster than it did following the SARS outbreak.”

In general, the ADB report noted, the region is well positioned to withstand such economic shocks. “Following strong growth from 2001 to 2004, the economies of India, Indonesia, Malaysia, and Thailand should be in a strong position to overcome the tragedy.” The ADB report states. “For these countries, recent growth has been strong, fiscal positions have improved, and external reserves are high, with the shock absorber of the disaster coming from the government’s fiscal position.”

The tragedy could also provide a surge of economic activity in the region that could have positive long-term effects. “Reconstruction from natural disasters requires new investment that should have a positive impact,” the report states. “And investment should translate into jobs. The aid process has already increased demand for a range of domestic goods and services, including food, water, medicines, building materials and clothing, as well as transport and communication services, which will benefit a number of domestic businesses. Therefore, it is possible that the overall impact could well end up being somewhat positive.”

From an economic standpoint, the tsunami disaster should be seen in the context of other disasters that have hit Asia, the report notes. Historically, Asia has been subjected to regular shocks and its countries have always responded swiftly and pragmatically.

“Asia has always been characterized by resilience in the face of turbulence,” said Mr. Ali. “With the passage of time, the wounds from the tsunami disaster will heal and the affected countries will emerge stronger to face future challenges.” ■

Courtesy, *Financial Times*, 14 January 2005

REPORT ON THE WORKSHOP ON POST-TSUNAMI RECONSTRUCTION OF SRI LANKA

Centre for Policy Alternatives

Introduction

The Centre for Policy Alternatives (CPA) organised a workshop entitled "Post-Tsunami Reconstruction of Sri Lanka: Structures and Processes" on 20th January 2005. The workshop was organised with the objective of engaging members of government, civil society, and the international multilateral community in a discussion of issues related to the reconstruction of Sri Lanka after the tsunami of 26th December 2004. CPA's Memorandum to the Task Force to Rebuild the Nation (TAFREN) on the formulation of a Comprehensive Development and Infrastructure Rebuilding Action Plan (CDIRAP) and the preparation of draft legislation to set up an Authority for Rebuilding the Nation (ARN) served as the basis for the discussion. The Memorandum seeks to bring to the attention of TAFREN certain policy considerations, international best practices and good governance principles that should inform the deliberations of TAFREN in the formulation of both the CDIRAP and the enabling legislation for the ARN.

This report identifies the themes around which the discussions were based and provides a brief summary of the presentations and the discussions that followed.

In his welcome address, Dr. Paikiasothy Saravanamuttu, Executive Director of CPA, stressed the importance of the principles of power-sharing in the peaceful resolution of Sri Lanka's ethnic conflict and in promoting transparency, responsiveness, democratic participation and accountability in the post-tsunami recovery process. He also noted that the tsunami disaster and the reconstruction efforts it has necessitated present an opportunity for revisiting some governance reform issues.

Proposed Reconstruction Structures: TAFREN, CDIRAP and the ARN

In his presentation on the structures the Government has proposed for implementing the reconstruction effort, Asanga Welikala, Researcher, Legal and Constitutional Unit, summarised the recommendations contained in CPA's Memorandum which centre around several cross-cutting themes and issues, including:

- ♦ accountability and transparency in general, and financial accountability in particular; public consultation and participation as animating principles permeating all policy frameworks and mechanisms established as part of the reconstruction process; and

- ♦ respect for the existing structures of devolution and recognition of the importance of provincial and local institutions in encouraging diversity and greater responsiveness, and in providing opportunities for broader citizen participation in government reconstruction efforts.

CPA's recommended accountability framework for the ARN would involve the enactment of an accounting, auditing and reporting framework to ensure financial accountability and transparency, accompanied by freedom of information provisions. CPA's proposals to enhance accountability, include:

- ♦ the establishment of a special reconstruction fund separate from the President's fund;
- ♦ strengthening the Auditor General's department;
- ♦ the establishment of a new parliamentary committee on reconstruction oversight which would monitor the ARN's implementation of CDIRAP and conduct comprehensive reviews of the ARN and the CDIRAP; and
- ♦ limiting the ARN's term of operation by including a sunset clause in any legislation establishing the ARN.

With respect to CDIRAP, CPA advocates a forward-looking national policy that will achieve not only reconstruction of physical infrastructure, but also sustainable human development. CPA urges the Government to engage in extensive consultation with Provincial Councils, local authorities and the public to ensure the responsiveness of the reconstruction efforts. CPA also recommends that a statement of purpose and principles for CDIRAP be enacted in order to (i) guide the ARN in the development of projects and (ii) guide the ARN and Parliament in the monitoring and evaluation of the CDIRAP. CPA also proposes that a disaster management strategy be adopted as part of CDIRAP.

Panellist J.C. Weliammuna of Transparency International suggested that existing mechanisms were not in a position to be effective in combating corruption. The problems with existing mechanisms include:

- ♦ the Committee on Public Enterprise (COPE) and the Public Services Commission (PSC) are over-burdened;
- ♦ the Auditor General's office lacks capacity and powers;
- ♦ the key anti-corruption body is no longer active and is a non-entity;
- ♦ the political will to fight corruption is lacking; and
- ♦ a parliamentary budget committee does not exist.

In suggesting recommendations, Mr. Weliammuna stated the need for

- ◆ full time officers in the new body created by the Government (the ARN);
- ◆ a public information officer to make information available to the public and the media;
- ◆ a parliamentary committee that would have powers going beyond those of COPE and PSC (potentially a standing order for a parliamentary committee), would issue reports at least once every six months, and would have supervisory powers to visit affected areas;
- ◆ strengthening the capacity of the Auditor General's office;
- ◆ moving to a value-for-money auditing system as opposed to the current compliance auditing practices;
- ◆ increased physical verification of projects;
- ◆ integrity pacts, and the involvement of neutral and qualified persons in the monitoring of major contracting processes; and
- ◆ public disclosure by all actors, including political parties, religious bodies and NGOs, in accordance with best practices.

Panellist Bradman Weerakoon, former Secretary to the Prime Minister and former Commissioner General of Relief, Rehabilitation and Reconciliation, recognised the difficulties faced by the Government in formulating an action plan and coordinating the relief efforts, but stressed that inclusive public consultation needed to be part of the Government's strategy. He focussed particularly on the need for public consultation in terms of reconstruction of homes and resettlement, and emphasised that where possible, people be permitted to return to the sites of their original homes. With respect to the need to respect the principle of subsidiarity, Mr. Weerakoon emphasised the need for capacity-building and strengthening of provincial and local authorities. Mr. Weerakoon also endorsed CPA's proposal for a Special Reconstruction Fund subject to Parliamentary oversight. He noted that greater accountability and transparency would be necessary in dealing with the funds flowing into Sri Lanka for reconstruction. The members of TAFREN were invited to participate in the workshop, and Mr. Lalith Weeratunge had agreed to act as a panellist, but all were unable to attend on the date of the workshop.

Special Concerns and Arrangements for the Reconstruction Process in the North-East

Mr. Welikala summarised CPA's recommendations with respect to the reconstruction process in the North-East which include special arrangements relating to:

- ◆ shared rule between the Government of Sri Lanka, the LTTE, and the other stakeholders in the North-East including the Muslim and Sinhalese communities, and
- ◆ self-rule proposals that would institutionalise the LTTE's role in the reconstruction efforts in the North-East while

providing for pluralism and the participation of other stakeholders.

Mr. Kethesh Loganathan, Director, CPA and Head, Peace and Conflict Unit elaborated upon some of the proposals contained in the Memorandum. In particular, he focused on the fact that any proposed arrangements to coordinate the reconstruction efforts were "interim interim", and should not be confused with the "interim-final equation", which will involve a fundamental restructuring of the State and the Constitution, including processes relating to the restoration of democracy in the North-East.

CPA's proposed interim reconstruction arrangements focus on cooperation between the Government and the LTTE as imperative for the effective delivery of reconstruction programs because significant sections of the affected people live in LTTE controlled areas. Any interim arrangement should be founded on the principles of inclusivity and popular participation.

CPA proposes that an LTTE-led mechanism for reconstruction be effected through an agreement between the Government and LTTE, the modalities of which may be similar to those used to conclude the Ceasefire Agreement (CFA). However, any attempts to use the CFA as a model would need to be mindful of some of the problems or "creative ambiguities" inherent in the CFA, including:

- ◆ the failure of the CFA to mention the districts of Kilinochchi and Mullaitivu; and
- ◆ the CFA allowed the LTTE to expand its politico-military and intelligence networks, while turning a blind eye to child recruitment, political killings and other gross human rights violations.

Mr. Loganathan emphasised that any agreement relating to humanitarian efforts should not have clauses of creative ambiguity that would permit either the LTTE or the Government to exploit the vulnerability of the affected people of the North-East in pursuance of their respective politico-military strategies. CPA proposes a stringent monitoring mechanism supervised by a Multinational Force comprising the donor co-chairs and India as a potential solution, but in view of Norway being already overburdened by its dual role as a facilitator and monitor of the CFA, it was felt that Norway, although a constituent member of the donor co-chairs, should not be further burdened in monitoring humanitarian efforts.

Unlike the rest of the country, the North-East is both a war-affected and a Tsunami-ravaged area. As such, the post-tsunami reconstruction of the North-East cannot be sustained if peace talks on the establishment of an interim authority for the North-East, with pride of place to the LTTE, and parallel talks on a final political and constitutional settlement to the ethnic question are not advanced. CPA recommends that the opportunities presented by post-tsunami reconstruction be seized and utilised for the transition from conflict to peace.

Panellist Chandru Pararajasingham, Program Coordinator, Tamil Rehabilitation Organisation (TRO) noted that the TRO's relief efforts were being hindered by the lack of a legitimate and settled structure in terms of Government logistics and coordination, particularly with respect to customs clearance for goods coming into the country. He suggested that there was a need for a new procedure that would accelerate the clearance of relief items. With respect to the previous presentation, Mr. Pararajasingham noted that in an effort to be transparent and accountable, the TRO had already submitted its audited accounts to the Central Bank and voluntarily disclosed the funds it had received from abroad. Mr. Pararajasingham also expressed the hope that all parties could work together and avoid inflammatory comments.

Dr. K. Vikneswaran, Advisor to the Minister of Agricultural Marketing Development, Hindu Affairs and Tamil Language Schools and Vocation Training (North) agreed that it was acceptable for the LTTE to have a role in the reconstruction of the North-East, but emphasised that the LTTE is not the sole representative of people of the North-East. He suggested that in its recommendations regarding the institutionalisation of the role of the LTTE, the CPA Memorandum may have overemphasised the role of the LTTE at the expense of other groups. Dr. Vikneswaran suggested that a first priority in any attempts to institutionalise a role for the LTTE was to encourage it to democratise.

Mr. Rajith Lakshman, Deputy Director, Economic Affairs, Secretariat for the Coordination of the Peace Process (SCOPP) began by reading a quote from Mr. Jayantha Dhanapala, Secretary General, SCOPP expressing the hope that the tsunami might present an opportunity for national solidarity and conflict resolution. Mr. Lakshman indicated that the LTTE needed to be incorporated into any proposed disaster relief mechanism as a partner, but that there was a need for building trust and goodwill between all parties to the conflict.

Plenary Sessions

The CPA presentations were followed by plenary and discussion sessions where respondents raised general issues and specific points with regards to the Memorandum and the presentations particularly around the themes of accountability, centralization, participation and inclusivity. A number of participants and panellists recognized that that tsunami and its aftermath presented an enormous challenge to Sri Lanka and the government. Nevertheless, participants and panellists felt it was necessary to question the manner in which decisions were being made and the content of proposals put forward by the Government and the task forces concerned. The tsunami crisis and the unfolding process of relief and reconstruction as an opportunity to revive the peace process, to push forward development and to engage in a process of reform was voiced by a number participants.

The lack of clarity and transparency was a key theme of the discussion sessions. With regards to the ARN, a participant pointed

to the issues of territorial scope, its ability to work with existing structures and service delivery arrangements. Ignoring such issues would result not only in problems of inefficiency and ineffectiveness, but also have a serious impact on governance and the potential for a duality of governance with some areas experiencing an improvement in material conditions and governance while neighbouring areas would see few changes.

Accountability issues were raised by a number of participants both in financial and policy terms. Supporting the proposal in the Memorandum for a parliamentary oversight committee, participants put forward ideas as to how it could be strengthened. In managing the record-level of funds pledged by the international community, a number of participants supported the proposal for a parliamentary role in managing funds rather than a fund controlled solely by the President.

Fears of corruption in the massive relief and reconstruction projects were voiced by many participants at the workshop. Particular emphasis was placed on the amount of funds coming into the country, and the need to account for the manner in which such funds will have been spent.

The trend towards centralisation of the decision-making process and the suggested mechanisms was a key concern raised by participants. Speaking to the link between proposed structures and the Constitution, a participant emphasised that the former should not negatively impact existing constitutional provisions as per the Thirteenth Amendment. He noted the overlap between the nine areas listed in TAFREN's terms of reference and the Concurrent and Provincial Council Lists and urged that this be taken into account in designing the powers and mandate of the ARN.

Devolution and decentralisation were key focus points of the discussion. The need for the involvement of local authorities in the design and implementation of the relief and reconstruction processes at the provincial, district and divisional levels was emphasised by both participants and participants. Participants endorsed the need for a bottom-up approach as suggested in the CPA Memorandum, whereby Provincial Councils, Pradeshiya Sabhas and Municipal Councils would be directly involved in the reconstruction efforts. Participants stated that promoting a decentralized approach would ensure greater accountability, by enabling local communities to know what they were receiving and verify Government statements. This would also increase understanding and inform local authorities as to how the overall relief and reconstruction process would impact their specific area. Given that the ARN would be involved in physical spatial planning, a participant noted that it was important for the central government structure responsible for planning to link up with local government and local authorities.

A participant voiced concern that devolution should not be restricted merely to delivery issues. They warned that this could lead to another form of centralisation, as authority would be wielded by

district level bureaucracies, and stressed the need for the involvement of elected authorities that would encourage greater public participation. The participant reminded the audience of the rehabilitation commission established in 1989 that functioned under the GA and was answerable to the Provincial Councils and Provincial Chief Secretary. While the CPA Memorandum recommended that the tenure of the ARN be limited by a short-term of operation and a sunset clause, a participant noted that if the ARN were a short-term authority, it was unlikely that it would have regional offices, thereby restricting its potential to be decentralised. On the point of devolution, a participant raised the issue that it should not be seen just in terms of state institutions and the North-East, but also with regards to the South itself so as to allow for greater decentralisation and participation in the South.

The need for a participatory and inclusive process was voiced by most of the participants in the discussion sessions. A participant stated that with greater participation and inclusiveness, a reform process could be initiated that would lead to an improvement in the state structure. They stressed that the need to engage in discussions concerning the reform process was urgent because the proposed structures are still being debated. The participant proposed a "supreme council" that would involve all political parties for the management of the entire reconstruction and rehabilitation process.

The vital need for local communities to have a say in the reconstruction process was raised by a number of participants. They stressed that as it was the future of local communities at stake, dealing with issues such as the relocation of people without consultation was highly problematic. A more people-based approach was called for, particularly in light of the feeling of marginalisation expressed by communities in the affected areas. A participant pointed out that with regard to relocating townships, important factors such as the demographics, history and culture of the old townships had not been given suitable emphasis. The principle that relocation should be the last option was also discussed, with a participant noting that relocation in other parts of the world is rarely successful. Rather than policy being designed as a knee-jerk response to the tsunami, a participant suggested that it be done through a multiple risk analysis method. Another participant raised environmental issues related to the sites chosen for relocation and the suitability of modern housing as per the Government's support for modern housing.

The need for the inclusion of community based organisations (CBOs) and the private sector at the local level was emphasised, as their role in the implementation stage would be crucial to increasing local capacity and public trust. A corollary point was made by a participant, who stated that local capacity building was essential in order to ensure that CBOs and local authorities had a meaningful role in decision-making and policy formulation rather than becoming mere sub-contractors. A participant suggested that this "sub-contracting" of local NGOs, CBOs and local authorities was likely to increase due to the fact that the number of INGOs had greatly increased post-tsunami (i.e. prior to the 26th of

December there were approximately 50 INGOs, whereas there were now approximately 150). They also stated that it was important to develop standards and policies relating to which INGOs are in Sri Lanka and how they work here. This point was reflected in the comments of other participants as well, and some participants raised the point of aid dependency that could have a long-term impact on Sri Lanka.

The need for civil society to be given a voice in the process was also expressed by several participants. Some of the participants also noted that civil society needed to maintain an active role in monitoring the relief and rehabilitation process. A participant spoke of the need for increased advocacy, claiming that Sri Lankan civil society was weak and lacked a rights-based approach.

With regard to issues related to the North-East, the participants in both sessions raised a variety of issues. A principal issue was how the post-tsunami relief and reconstruction process could facilitate the revival of the peace process. A number of participants and participants referred to the opportunity that the recovery process posed. There was concern among some that relief and reconstruction would be pushed forward without any linkage to the peace process or the post-conflict reconstruction process. A number of respondents therefore welcomed the CPA Memorandum's call for the post-tsunami and civil war recovery processes to be linked.

A key point raised by many participants was the inclusion of the LTTE in the relief and recovery process. One participant noted that because two thirds of the North-East is under LTTE control, the LTTE cannot be ignored or sidelined by the Government in the recovery processes. Rather than exacerbate existing tensions and disagreements, the participant said it was important to move towards genuine reconciliation, particularly with regards to structures of governance. A participant suggested that CPA's proposal regarding the creation of an LTTE-inclusive structure sought to bring in the LTTE's Interim Self Governing Authority (ISGA) through the backdoor. The participant noted that while genuine representation for the LTTE in a structure for relief and reconstruction is necessary, one should not be seen to recognise the LTTE as the sole representative of the Tamil people.

In responding to the presentation made by Mr. Loganathan with regards to the conditions for the LTTE's inclusion in a relief and reconstruction mechanism, one participant felt that it was important to avoid a situation similar to the Tokyo Conference, where there were a number of preconditions for the LTTE's participation, and which led to the LTTE's refusal to participate. The participant felt that the main question was how to create an inclusive arrangement for relief and recovery. Mr. Loganathan responded that a distinction needed to be made between appeasement and engagement when dealing with the LTTE.

There was also a call by participants for all stakeholders in the conflict to be included in the recovery process. This principle of

inclusion should involve the inclusion of both the macro-political structures for aid distribution and the district level committees. In responding to the CPA Memorandum, a participant called for the inclusion of the LTTE, but also voiced concern over the term used in the Memorandum with regard to Muslim rights. The participant felt that the term "safeguards" for Muslims and Sinhalese was inadequate, and that there was a need for an autonomous role for Muslims. Given the feeling of marginalization among Muslims, the participant urged that an autonomous role for Muslims be reflected in a revived peace process.

Other issues were also raised by participants. One participant noted that it was important to address accountability not just in accounting terms but more importantly, as a value. He called for a preamble to the CPA Memorandum that would put it in context with regards to the international norms as laid out in the UN Charter and other UN Conventions. Another participant suggested that the CPA Memorandum and a report of the workshop proceedings be made available to participants in the G7 Summit to be held in early February.

LIST OF ACRONYMS

ARN	Authority for Rebuilding the Nation
CBOs	Community-based organisations
CDIRAP	Comprehensive Development and Infrastructure Rebuilding Action Plan
CFA	Ceasefire Agreement
COPE	Committee on Public Enterprise
CPA	Centre for Policy Alternatives
INGOs	International non-governmental organisations
ISGA	Interim Self-Governing Authority
LTTE	Liberation Tigers of Tamil Eelam
NGOs	Non-governmental organisations
PSC	Public Services Commission
SCOPP	Secretariat for the Coordination of the Peace Process
TAFREN	Task Force to Rebuild the Nation
TRO	Tamil Rehabilitation Organisation



CHURNING OF THE OCEAN: THE TSUNAMI AND THE THIRD WORLD

Vijay Prashad

The January 17, 2005 issue of the European edition of *Time* and of the International edition of *Newsweek* had the same photograph. It showed a burly US naval officer from the USS Abraham Lincoln holding a badly injured child in the Indonesian port city of Banda Aceh. The pathos on the face of the officer is not propaganda, nor is the grief and fear on the face of the gravely affected child staged. The tragedy is real, as is the immense human effort of reconstruction and healing.

What is almost offensive is the tenor of the media coverage in the US, and of its main periodicals. In the aftermath of the death of the quarter million and the devastation in the lives of the survivors, the emphasis of this media has been on the role of the US government and of US nationals in the clean up. The cover picture in these flagship magazines, as well as the tenor of the coverage within the US, displays a classic colonial device: to show the white nations as the protector, and the darker nations as the helpless lot thankful for the temperament and technology of the overlords.

The photo-shoot is everything: Senator Bill Frist during a photo opportunity on his disaster tour in Sri Lanka asked his aides to "Get some devastation in the back."

The autonomous effort of people along the Indian Ocean rim and of their sacrifice has not graced our press. Terri Gross of *Fresh Air* (1/19/05) noted that the US government's aid package of \$350 million is larger than that of Saudi Arabia, which is all very well. Bear in mind that the US contribution is only 0.003% of our GDP. But why is the US always the main story, even when the devastation is in Asia, and even when the main effort of recovery will be made by Asians and not by the few US marine and medics who are in the area?

I was in Chennai last week, one of the worst hit parts of India. During a visit to the offices of the largest newspaper in the city, and in Southern India, *The Hindu*, I learnt of the open hearts of ordinary people toward those so tragically affected. The newspaper had started a fund drive, and within a few weeks had collected over Rs. 10 crore, which is Rs. 100 million or else \$2.25 million. The amount is not large in itself, but consider this: most of the money has come in from individual donations or else from schoolteachers, bank clerks and other salaried employees as well as hourly workers in factories and shops who have donated a day's salary. Those who can least afford to put money in the can have been the most enthusiastic.

In Kolkata, even street beggars decided to donate a day's earnings toward the Prime Minister's Relief Fund, whose coffers will swell to around \$100 million. The Communist members of parliament pledged a month of their salaries. Political parties from across the spectrum held drives to raise money and to send people for relief work. All this money is going toward state and extra-state agencies who are in the thick of reconstruction. More Indians died in the Gujarat earthquake of 2001 (30,000), and yet the Indian population has easily raised more in two weeks for this tragedy than they did in twelve months after the 2001 quake.

Talking to Indians of all political denominations and from different social locations, it became clear that the money came in for two reasons. First, we remain baffled by the scale of the disaster in the region, not just in the nation. Conversations on the lack of an effective early warning did not detract from our awe at Nature's power over human endeavors. Attempts to connect the scale of the devastation to global warming and other such human disasters will need to be studied, although some of this ecological analysis seemed politically opportunistic. Clearly the attrition of mangrove forests along part of the coastline, and other such issues affected the scale of the death, but we don't know that it produced the shift in the tectonic plates.

Money poured in because it was the very least one could do in the face of what is without mercy.

Second, when the Indian Prime Minister Manmohan Singh announced that his government would not require foreign aid, and when the Indian media reported on the efforts of the Indian navy and others in the region (including in Sri Lanka and the Maldives), it showed that one had to do one's part in the region and not rely upon any external uncles for help. Singh's words stirred up an almost anachronistic Third World anti-colonial nationalism, even as Singh himself leads a government otherwise prone toward concessions to the world's bankers. Before the US government pledged \$2.6 million to Sri Lanka in the days after the Tsunami, the Indian government already offered \$26 million.

The ethos that motivates this effort comes from regionalism, from the fifty-year tradition of Third World solidarity, as well as from the two-decade attempt by the Indian state to be the major power in the neighborhood. These complex motivations drive the agenda. What is remarkable is not what motivates the government, but how the demonstration of sovereignty provokes this large-scale voluntary contribution toward reconstruction not just within the

nation, but also within the region. Our reporters miss such an effort perhaps because it is so alien to US nationalism.

Time carried a sidebar story that questioned the mechanism of relief delivery ("How Much Will Really Go to the Victims?"). Despite our best good intentions, the article argues, "Donor countries do not want their aid to overwhelm a country's bureaucracy or feed corruption, so in the name of accountability, they give very carefully." The idea of "donor nations" comes from institutions like the Paris Club (created in 1956 to coordinate the relationship of advanced capitalist states and "Third World debt") and the G-7 (formed in 1975 to coordinate macroeconomic policy among the advanced capitalist states).

These institutions promote the view that they "give" and the darker nations "take." The Third World is the "recipient" of First World largess, which entirely covers up the sacrifice and effort of two thirds of the world's people. Those who live outside the G-7 too demonstrate their capability to be donors, even if they make demands upon the imperial powers to redress historical theft, to compensate for a lack of technical and capital resources.

To invoke corruption is a necessity, because any relief effort is suffused with mendacity and greed. However, corruption in the Third World should not be an excuse not to provide monies for reconstruction. Within Indian society, for instance, corruption is both endemic and condemned. It is a political issue that inflames discussion and organization - countries such as India welcomed the UN Convention Against Corruption (2003). Neither corruption nor bureaucratic unaccountability stops global corporations and G-7 nations from doing business with the darker nations.

Corruption is a problem, but the work that the discourse of corruption does is almost as insidious as the ailment itself. To harp on about corruption allows the media to paper over the fundamental lack of generosity of our governments, but also to occlude a much greater problem - that the national liberation and Third World bourgeois state has been cannibalized, that it cannot provide many basic services, and that it has few resources to command for social development.

For days in much of South and South-East Asia, the state did not act. This had little to do with corruption or bureaucratic unaccountability alone, but it had lots to do with the fact that under IMF direction and with the enthusiasm of the domestic elite, the

state's capacity to provide services had been slashed. The shell of the state, now increasingly privatized, had to rely upon the immense sacrifice of its officials, of organized political outfits and of ordinary citizens to conduct the normal operations of modern relief.

The military in much of the region took the lead because of all state institutions it has been least cannibalized - a sad commentary on modern civilization. On January 12, the Paris Club declared that it would suspend collection of debt payments from Tsunami affected countries "until the World Bank and the IMF have made a full assessment of their reconstruction and financing needs." This was by far the most important gesture from the G-7, greater than all the money that its independent nations pledged. What it recognized is that the debt service payments are so vast that they cripple the ability of the darker nations to conduct social development, and relief. That recognition needs to be built upon.

Despite the cannibalization of the state form and the endemic corruption and bureaucratic unaccountability, people still turn over their money to the state for reconstruction. The horizon of the state as the dispenser of justice lives on as a legacy of Third World anti-colonial nationalism. If the state has withered, the belief in the state has not altogether gone. And indeed, how would it go.

What are the alternatives: private capital, which is motivated by its profits alone, and which is also unaccountable and also corrupt (viz. Enron)? Non-governmental organizations, whose scale is so miniscule that despite whatever good work they do, they cannot provide the sort of services (insurance, naval assistance) provided by the state or global corporations? The only institution that seems viable is the national state, and this is perhaps the reason why individual Indians, for example, raised money and turned them toward the state for rehabilitation.

Short of a month after the Tsunami, the US military decided to pull out of the effort. At a dramatic press conference on January 19, US Pacific Command's chief Admiral Thomas Fargo announced that the US military "will start right now transferring functions to the appropriate host nations and international organizations." Transferring? As if the US had been the dominant power in this effort. The soldier on the cover of Time and Newsweek will deploy, if Seymour Hersh is right, somewhere near Iran, keener to create tragedy than to mollify it. The darker nations, meanwhile, will persist in recovery long after the television cameras and print journalists have gone on to the next misfortune. ■

Vijay Prashad has just finished writing *Darker Nations: the Rise and Fall of the Third World* which will be published later this year by the New Press.

DOCUMENTS

EMERGENCY- I

EMERGENCY DECLARED

Civil Rights Movement

The Civil Rights Movement (CRM) has just learned that over a week ago, on Tuesday 4 January 2005, emergency was declared (namely Part II of the Public Security Ordinance was brought into operation by Presidential proclamation) in 14 districts. The details are annexed. (This is not to be confused with the report of the declaration of a state of national disaster reported to have made by the President just after the catastrophe, which is not a legal term).

So far as CRM has been able to ascertain no publicity has been given to this in the media. It has certainly not been reported in the English daily press including the state-controlled Daily News.

Declaring emergency enables the President to make regulations bypassing Parliament. CRM is not aware what orders or regulations may have been made in pursuance of this Proclamation.

It is imperative that the people should know under what laws they are governed. CRM has time and time again over the years protested to governments of all political complexions at the inaccessibility of emergency regulations¹. Furthermore, unless such regulations are accessible to the public, their legal validity is doubtful. Although the unprecedented situation caused by the Tsunami disaster may explain and excuse failure to comply with certain norms, CRM is unable to see any reason why publicity cannot be given to the declaration of emergency and any steps taken thereafter.

While appreciating the crucial role and importance of security forces and police in relief and rehabilitation as well as the maintenance of law and

order in the present crisis, in which they must receive our fullest support, CRM is deeply conscious of the possibility of elements in these forces resorting to serious offences including extra-judicial killings. This has happened in the past when the security forces have had to meet a security concern, and should not be allowed to recur.

Maintenance of law and order must be a primary concern along with relief and rehabilitation. If the very forces of law and order are themselves seen to commit not just minor transgressions, but what are in fact major offences, then the very basis of this goal is undermined.

This information has come at a time when CRM is preparing a document on several aspects of the disaster relevant to the human rights of the people, which will be issued in due course. Meanwhile as a matter of urgency we ask the Government to:

- a) Ensure that all proclamations, orders and regulations under the Public Security Ordinance are published contemporaneously in all three language media:
- b) Ensure a strict check is kept on all shootings by the security forces. The use of firearms/bullets must be accounted for and reported to superiors and accounted for publicly. Details of any killings so far in the course of enforcement of law and order should be announced publicly:
- c) Ensure that any deaths now occurring are subjected to the normal inquest requirements. ■

EMERGENCY REGULATIONS

Our legal correspondent adds:

The way the government has sought to bring in emergency rule in the aftermath of the tsunami has been described in the two statements of the Civil Rights Movement (CRM) published in this issue of *Polity*. From newspaper reports it appears that the fresh declaration of emergency was approved by Parliament on 11 February 2005. This columnist understands that explanatory letters were sent by CRM to the Speaker and other leading parliamentarians explaining the position as regards the date from which the new Proclamation and any regulations made under it can take effect. Despite this, the newspaper reports, at any rate, do not indicate that any awareness of this was shown by parliamentarians. Final checking will have to be done once the Hansard report is available.

In any event, the legal position is clear. There was no emergency in force from 19 January 2005 till 11 February 2005 whatever the gazette notifications may suggest to the contrary.

The regulations gazetted on 3 February 2005, which at best can come into force only as from February 11th, are the same as the lapsed regulations of 6 January 2005, and contain many unacceptable provisions as pointed out by CRM.

Meanwhile it was reported that the Supreme Court was due to communicate its determination regarding the constitutionality of a Bill establishing "The National Council for Disaster Management". Furthermore, another Bill making special legal provisions for persons and property affected by the tsunami, using the "urgent in the public interest" procedure, was due to be presented for Cabinet approval shortly. The text of this Bill was not available at the time of going to press. ■

EMERGENCY- II

THE EMERGENCY HAS LAPSED

Civil Rights Movement

The emergency declared on 4 January 2005 has, in the view of the Civil Rights Movement (CRM), expired. It follows that the emergency regulations made under it are no longer in force, and any action taken under them since the expiry are invalid.

On 4 January 2005, the President gazetted a Proclamation bringing into operation Part II of the Public Security Ordinance (PSO) as from that date. This activation of Part II of the PSO is what is commonly referred to as a declaration of emergency. It enables the President to make emergency regulations that have legal force as soon as they are made. This action thus has the effect of vesting in the President the power to make regulations having the force of law, bypassing the normal legislative body, i.e. Parliament. Consequently there are important provisions, in both the Constitution and the PSO, providing for parliamentary approval and control of this assumption of law-making power by a President.

The Proclamation has to be communicated to Parliament forthwith, and is valid for a period of one month (at a time) and expires thereafter, provided Parliament approves such Proclamation within fourteen days of the provisions of Part II of the PSO (i.e. the declaration of emergency) coming into force. If the Proclamation is not so approved, then it expires at the end of fourteen days.

If at the date of the Proclamation, Parliament is separated by an adjournment that will not expire within ten days, the President is required to summon Parliament to meet, such meeting to take place within ten days of the Proclamation.

According to the Hansard report, Parliament met on 4 January 2005, and adjourned till the 8th of February 2005. There is no record of the Proclamation having been communicated to Parliament on 4 January 2005. In this context, the President was required to treat 4 January 2005 as a day on which Parliament was adjourned, and summon Parliament to meet within ten days of the Proclamation. As far as we are aware, the President did not summon Parliament to meet. In these circumstances, the Proclamation expired after 14

days, that is, after the 18th of January 2005, and any emergency regulations made thereunder cease to have legal force after 18 January 2005. This will not affect the past operation of any emergency regulations while the Proclamation was in force.

An important consequence follows the expiry of a Proclamation at the end of fourteen days due to Parliament not approving it. A further Proclamation made within 30 days of the expiry of the Proclamation cannot come into force until it is approved by Parliament. This in turn prevents the President from making any emergency regulations for one month without obtaining parliamentary approval for the Proclamation. This is logical, for if Parliament does not approve a declaration of emergency, it cannot be open to a President to assume emergency powers again straightaway by simply making a fresh declaration without the consent of Parliament.

On 6 January 2005, the President made a set of emergency regulations. These made provision inter alia as to essential services and requisition of property; conferred extensive powers of search and arrest; curtailed several fundamental rights; created new offences and prescribed enhanced punishments for existing ones; provided for automatic forfeiture of property; abolished evidentiary safeguards regarding confessions to police officers; and prescribed capital punishment or life imprisonment for several offences. The regulations were available to the public only on 25 January, exemplifying yet again a repeated complaint CRM has made over the years about the inaccessibility of emergency regulations. The substance of the regulations is being studied separately by CRM and is not gone into here.

What is of immediate concern is that we have an extraordinary, anomalous and unacceptable situation. The emergency regulations made on 6 January were available to the public only on 25 January. By that time they had already expired. But people, including presumably law-enforcement officers, were and remain under the impression that they are in full force. ■

PAYING ATTENTION TO GENDER ISSUES IN THE FACE OF TSUNAMI

The recent tsunami disaster has resulted in many deaths, displacement of thousands and destruction of livelihoods, infrastructure and property. Given the scale and complexity of the situation there is a rush to attend to immediate needs to restore normalcy, to initiate rehabilitation and reconstruction.

Numerous agencies; government, UN, international and local NGOs, and individuals are attending to the immediate relief measures, and so soon a massive reconstruction and rehabilitation process will begin. Some will have previous experience and be knowledgeable and skilled in disaster situations. There are also many organizations/groups and volunteers new to crisis situations who are trying to help.

Despite good intentions, there is always the risk that important issues get bypassed. Experience shows that gender, in particular addressing women's issues in disaster situations, is a key area where there will be gaps unless given specific attention.

Although women and men have made common concerns, disasters do affect women and men differently: because of the different roles they occupy in community; the different responsibilities given to them in life; and because of the differences in their capacities, needs, and vulnerabilities.

Ignorance of gender differences leads to insensitive and ineffective operations that largely bypass women's needs and their potential to assist in disaster relief and reconstruction activities.

This note highlights important messages about addressing women's concerns and gender issues in relief and reconstruction.

Making initial disaster responses gender sensitive.

Relief distribution

Disaster relief that is gender sensitive requires:

- ◆ Close interaction with the affected communities during the relief planning process.
Gender-disaggregated assessments for relief distribution.
- ◆ Employment of female relief workers
- ◆ E.G. distributing provisions through women.
- ◆ Relief workers who are aware and sensitive to gender issues and humanitarian ethics.
- ◆ Recognition of skills and capacities of women from affected communities and their involvement in relief planning, distribution of assistance and in other emergency management activities.

- ◆ Relief that reaches sub-categories such as widows old women, female-headed households, single women, disabled etc.
- ◆ Attention to the cultural concerns of different communities and elimination of culture/religion/gender based discrimination in registration, compensation and relief distribution.
- ◆ Adherence to the minimum standards set for relief distribution (e.g. the SPHERE standards).

Basic practical needs

Women have specific needs; and measures should be taken to:

- ◆ Ensure privacy for women in common areas of camps.
- ◆ E.g. provide women's "corners," separate toilet and bathing areas.
- ◆ Provision for menstruation, and clothing and undergarments.
- ◆ Attend to needs of pregnant and nursing mothers.
- ◆ E.g. provide infant milk powder, feeding bottles, infant clothing, nappies and mosquito nets.

Security and safety

It is a fact that in displaced situations, in temporary shelter and in camps, women and children are often subject to sexual harassment, abuse and violence. Specific measures need to be taken to secure women and children's safety:

- ◆ Take practical measures to protect them from abuse;
- ◆ E.g. secure sleeping arrangements, adequate lighting and safe location of toilets.
- ◆ Take steps to ensure that the community is responsible for the safety of children
- ◆ Where possible, assist and accompany women/children going in search of loved ones.

Health concerns

Women keep families healthy after disasters. As caregivers to the young, old, sick, disabled, and injured, women tend to put their own needs last. Relief and reconstruction efforts need to pay attention to women's health and ensure specific health concerns and needs are being addressed:

- ◆ Measures are needed to tackle the increased risk and incidence of sexual and/or domestic violence associated with major disasters.
- ◆ E.g. medical assistance should be available to women and child victims of physical or sexual abuse. Some women may need the morning after pill.
- ◆ Reproductive and family planning health services should be included in general health work.

- ◆ E.g. provision made for antenatal and postnatal care; pregnant and lactating women who may need nutritional supplements.
- ◆ The different physical and mental health needs of women and men need to be recognized and addressed.
- ◆ E.g. people with disabilities, elderly people and family care givers.

Trauma counseling

Members of relief teams need to be aware and sensitive to the issues of trauma:

- ◆ Gender differences in psychological impacts of disasters should recognize that women's anxiety also stems from fear and risk to their family/children.
- ◆ Training for mental health providers should address problems of highly vulnerable groups such as women headed households, grandmothers caring for orphans, battered women, women with disabling injuries, newly widowed women and men, women at risk of suicide.

Gender sensitive planning for rehabilitation/reconstruction.

In many communities, women take an active part in community disaster initiatives. Yet in larger, more formal planning, women are scarcely represented and markedly absent from decision-making. Not being sensitive to gender issues in development planning and disaster mitigation means that interventions are often only targeted at men. Sensitivity to gender is vital in order to empower a community to successfully move on and move up from the abyss of disaster.

Rehabilitation/reconstruction should promote post-disaster development that reduces risk of communities to disaster and empowers local communities. This means tackling the reasons why certain sections of society and community are more vulnerable to disasters. Rebuilding should happen in ways that address the root causes of vulnerability, including gender inequalities.

Women's local knowledge and expertise are essential assets for communities and households struggling to rebuild. To capture these capacities, disaster responders must work closely with women. In planning and implementation of rehabilitation/reconstruction, practical steps should be taken to:

- ◆ Ensure the needs, skills and capacities of affected communities are incorporated in planning and implementing rehabilitation work.
- ◆ E.g. include women in housing design as well as construction; recognize and incorporate women's traditional knowledge and experience in managing natural resources.
- ◆ Establish on-going consultation with women in affected areas, women's bureaux, and women's advocacy groups.
- ◆ Evaluate and take measures to ensure women can participate in reconstruction and benefit from economic recovery packages.
- ◆ E.g. Ensure that women have the mobility to participate in reconstruction and rehabilitation activities. Ensure meetings and

- events are held at times and places where women can participate; Ensure family caregivers have access to support
- ◆ Strengthen informal social networks and link them to disaster-responding agencies and offices.
- ◆ Fund women's groups to monitor disaster recovery projects.
- ◆ Identify and respond to women's needs for legal services in the areas of housing, employment, and family relations
- ◆ E.g. Deed newly constructed houses in both the names of husband and wife, and land rights for women.
- ◆ Give priority to social services, children's support systems and women's centers.
- ◆ Target highly vulnerable women such as single mothers, widows, below-poverty, unemployed women and socially marginalized women in reconstruction of damaged and new houses.
- ◆ Monitor relief and rehabilitation for possible gender bias and inequalities that may develop over time.
- ◆ E.g. avoid unintentional overburdening of women with multiple responsibilities at home, work, and in the community.
- ◆ Monitor as far as possible the degree to which relief and recovery assets are equitably distributed.

Rebuilding livelihoods

Reconstruction must fully engage women and ensure that women benefit from economic recovery and income support programmes. Women's limited income generation and employment opportunities should be expanded in the process of developing local economies. In re-building livelihoods, practical steps should be taken to:

- ◆ Ensure rehabilitation and reconstruction target economically active women of all ages and social groups.
- ◆ Incorporate gender analysis into all empirical assessments.
- ◆ E.g. collect or generate gender-specific data; conduct a thorough analysis of damaged economic sectors (e.g. fishery, tourism, agriculture) that identifies roles of women and identify areas for their participation.
- ◆ Support income-generation projects that build non-traditional skills among women.
- ◆ E.g. provide women with fair access to construction-related and other non-traditional employment; include employment-relevant job training; seek out women with technical qualifications for training on specific projects such as overseeing housing construction.
- ◆ Incorporate women's income generating options in livelihood rebuilding plans.
- ◆ E.g. make provision for self-employed/home-based women workers in plans.
- ◆ Ensure access to grants and loans to re-build lost livelihoods to replace damaged or destroyed tools, workspace, equipment, supplies, credit, capital, markets and other economic resources.
- ◆ Include measures to support women's multiple responsibilities as economic providers and family workers.
- ◆ E.g. work with employers to develop or strengthen 'family friendly' policies for those needing time to apply for assistance, cope with trauma and help injured family members provide

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- assistance to family care givers to support them economically and ensure continued care to the injured, children and disabled.
- ◆ Develop and commit to gender accountability and monitoring measures.
 - ◆ E.g. monitor the percentage of women and men in construction, trade, other employment; the numbers of disabled women trained; the proportion of economic recovery grants and loan

funds received by women; the working conditions in private and public relief working projects etc.; monitor and assess long term impacts on women and girls o disrupted markets, forced sale of assets, involuntary migration, increasing proportion of female-headed households etc. ■

Courtesy MS. Column in the *Leader*

GOD BEHIND TSUNAMI?

In the article ‘Is Tsunami an act of God?’ in the *Island* of February 07, Mr. R.M.B.Senanayake says there was a divine hand behind this Tsunami destruction. He says, “God has intervened with the forces of nature to punish mankind.”

He cites as examples ‘the flood during the time of Noah and the destruction of Sodom and Gomorrah for sexual immorality.’ He further says, ‘God has a purpose in sending calamities.’ He goes on to say that God divided the Red Sea to allow Jews to cross over and escape and when the Egyptians pursued them he killed the Egyptians! The purpose of this article appears to justify the terrible destruction of life and property and to instill fear of God in all of us.

But such attempts to make non believers fall in line through fear are counterproductive as having seen their near and dear ones destroyed by the killer waves which Mr. Senanayake claims had been sent by God, people tend not to fear but hate whoever created the disaster.

Mr. Senanayake could be asked by those who survived the deaths of their family members why ever God chose to destroy innocent children as well as those who are not sinners by any stretch of the imagination.

The rich and the poor alike mourned the death and destruction caused by the Tsunami and did whatever they could to help the living.

The kind-hearted people from all over the world are pouring in money and goods to help the destitute. Governments and experts are trying to install early warning systems to warn people of future tsunamis and save lives.

Since according to RMB, God is behind all these calamities and he alone determines when and where tsunamis should occur, the early warning systems will be of no use.

RMB has made the remark: “All suffering is due to sin say Christians, while the Buddhists refer to ‘karma’ and the ‘Kamma vipaka’ of those who died.”

All I will do is to quote the Buddha. The Buddha said, “Don’t waste your time thinking about *kamma vipaka* as you will end up a mad man.” Besides, the Buddha said that the Dhamma is for the wise to be realized by themselves. Not by prayer.

P.S.Mahawatte, Colombo 05

LAND ISSUES ARISING FROM THE ETHNIC CONFLICT AND THE TSUNAMI DISASTER

Centre for Policy Alternatives

The Centre for Policy Alternatives (CPA) prepared the enclosed Memorandum on Land Issues Arising from the Ethnic Conflict and the Tsunami Disaster with a view to providing policy makers and stakeholders with a discussion document to assist them in the formulation of land policies.

CPA has been at the forefront of civil society interventions in the constitutional reform debate in Sri Lanka, consistently advocating democratic values and federal mechanisms as being essential in the building of a united and more democratic Sri Lanka. The tsunami disaster and the reconstruction efforts it has necessitated, present an opportunity for revisiting some governance reform issues. In particular, we stress respect for the principles of power-sharing and regional autonomy which are not only pivotal to the peaceful resolution of Sri Lanka's ethnic conflict, but are also essential in promoting transparency, responsiveness, representativeness and accountability.

The Memorandum examines current land or land use issues with reference to existing legislation or policies, and highlights issues that may have arisen as a result of both the ethnic conflict and the tsunami disaster. CPA has formulated recommendations that it hopes will contribute to the process of developing strategies and policies to respond to the challenges raised by these situations with reference to international best practices and good governance principles. It is a basic premise of the Memorandum that while the tsunami disaster necessitates an immediate and urgent response, the issues arising from the ethnic conflict should continue to be a principal focus of Government and civil society. CPA urges the Government to respond to the after effects of both situations with equal urgency and diligence.

The Memorandum is structured in three parts. The first part deals with the overarching framework for coordinating issues of land and land use planning. The second part examines the legal and policy framework for land occupation and ownership, focusing on the development guidelines in respect of the coastal zone of Sri Lanka and issues relating to state and private land. The third part discusses land issues relevant to internally displaced persons (IDPs).

I. The Overarching Framework for Land

The first section of the Memorandum examines the overarching framework for coordinating issues of land and land use planning,

including government institutions and national land policies. The underlying themes of this section include good governance principles such as accountability, transparency, participation, capacity building and subsidiarity.

This section examines the constitutional framework and existing modalities of devolution, with a particular focus on the jurisdiction of Provincial Councils over land and related subject areas. The existing structures laid out in statutes establishing local authorities such as Urban Councils, Municipal Councils and Pradeshiya Sabhas as well as other statutory authorities such as the Urban Development Authority (UDA) are also canvassed. This section of the Memorandum also examines the existing national land policies and draft policies.

II. The Legal and Policy Framework for Land Occupation and Ownership

The second section of the Memorandum examines the legal and policy framework for land occupation and ownership with reference to existing legislation, including the Land Development Ordinance, the Land Grants Special Provisions Act, the Land Acquisition Act, and the development guidelines in respect of the coastal zone of Sri Lanka, namely the Coast Conservation Act, the National Physical Planning Department Guidelines and the Urban Development Authority Guidelines. The Memorandum highlights provisions in the legislation dealing with land alienation and other issue areas that will need to be addressed in crafting responses to the ethnic conflict and the tsunami.

III. Internally Displaced Persons (IDPs)

The third section of the Memorandum discusses land issues relevant to internally displaced persons (IDPs), and emphasises the fact that the issues raised by conflict-affected and tsunami-affected IDPs should be responded to by the Government with equal urgency and diligence. This section deals with several issues, including transitional shelter and resettlement programmes, restitution of property, sales made under duress, lost or destroyed identity and property documents, boundaries, women IDPs, financial and social assistance, freedom of movement, landmines and unexploded ordnance and High Security Zones. Particular reference is had to international guidelines and the draft Transitional Shelter Strategy currently being prepared by the Government in collaboration with the UNHCR.

SRI LANKAN CIVIL SOCIETY MESSAGE TO THE G 8

This is the text of the statement issued by a group of Civil Society organisations in Sri Lanka during the G.8 meeting in London.

One month after the earthquake and tsunami of 26 December 2004, the people of Sri Lanka and the global community are searching for strategies to recover from the damage caused to the lives and livelihoods of communities in the coastal areas of the South and South-East Asian regions.

As the true picture of the loss of life, the devastation of homes, the destruction of community assets and economic infrastructure emerges, it is time to take stock and to agree on the principles that should underpin the collective effort to support communities as they rebuild their shattered lives.

The response to the tsunami disaster, both in Sri Lanka and across the globe has been characterized by a spontaneous display of human solidarity. Governments and civil society, both within the region and in other parts of the world, have been challenged by force of public opinion to explore new approaches to disaster management, vulnerability reduction and sustainable development.

Civil society, the private sector, governments and the international donor community joined together in the provision of immediate relief. Their initial efforts will need to be sustained over the coming months until households and communities are able once more to provide for themselves.

The unprecedented display of Sri Lankan and international solidarity, both official and unofficial, offers great opportunities for recovery and reconstruction for the affected communities and countries. At the same time, contending approaches to recovery and rebuilding have emerged that may increase the risk of new tensions both within societies and between countries and their international partners.

Maximizing the opportunities and minimizing the risks will require concerted efforts on the part of all concerned. Such efforts should be based on agreement on the principles that should guide the actions of all those involved in the rebuilding process.

As civil society organizations, we have elaborated the principles that will inspire our own initiatives. We have formulated recommendations to the political leaders and administrators entrusted with the management of the governmental and official international response to the disaster and with the coordination of the efforts of different actors.

We have committed ourselves to working in partnership with both Government and the donor community in the design and implementation of rehabilitation programmes on the understanding

that these will be based on the needs and aspirations of affected communities. We welcome the invitation from both to participate in the collective effort.

Having joined in the development of a common platform of principles and programmes, we wish to bring the following considerations to the attention of decision-makers in the international donor community:

1. the ongoing search for peace through negotiation

- a. the tsunami disaster took place against the backdrop of an ethnic conflict that has undermined social harmony, economic performance and democratic governance in Sri Lanka for the past twenty years;
- b. the disaster devastated coastal communities in all parts of the island, especially along the densely populated eastern, northern and southern coast-lines; the worst affected are the poor people whose livelihoods were linked to fisheries, tourism and the informal sector;
- c. the tsunami disaster affected areas under government control and under de facto LTTE control alike, devastating Sinhala, Tamil and Muslim households without discrimination;
- d. sustaining the fragile peace established under the Cease-Fire Agreement signed between the Government and the leadership of the LTTE in February 2002 is key to the well-being of all communities in Sri Lanka, including those directly affected by the tsunami;
- e. the outpouring of international generosity in response to the disaster offers new opportunities to advance the search for peace and development;
- f. the government, the LTTE and leaders of the muslim community have acknowledged that coping with the humanitarian emergency and meeting the challenge of longer-term reconstruction and resettlement calls for new forms of collaboration;
- g. flexibility and creativity on the part of all will be required to resolve contentious issues in the interests of the affected communities;
- h. collaboration in addressing the immediate humanitarian needs and designing programmes for rehabilitation and reconstruction could open up new spaces for interaction that contribute to better understanding and mutual trust;

i. imaginative new joint mechanisms will facilitate the provision of relief and support to community rehabilitation;

j. such mechanisms would be strengthened if Government, the LTTE, the muslim community and other stakeholders, including the Opposition, could agree on basic principles of human security that will be operative throughout the period of post-tsunami reconstruction.

2. Rehabilitation of communities affected by the tsunami disaster

a. the response to the tsunami disaster should reflect the right of all citizens to receive humanitarian assistance and the obligation to allow equal access to all disaster victims;

b. the entire process of relief and rehabilitation must be organized in a manner that empowers affected communities, strengthens their capacity to recover fully from the disaster and provides them with opportunities to achieve sustainable development;

c. throughout, all stakeholders should respect the basic rights of affected communities, including their right to meaningful participation in a democratic and pluralistic society;

d. programmes and resource allocations must be implemented in a fair and equitable manner, reflecting an objective assessment of the extent of damage and participatory identification of needs;

e. special attention should be given to the roles, rights and aspirations of women and children in the affected households and communities;

f. all forms of discrimination, particularly based on ethnic, religious or political affiliation, must be avoided;

g. the attainment of these goals can best be achieved through community participation at all stages of the rehabilitation effort;

h. local partnerships should be encouraged to ensure community ownership of the rehabilitation effort and to offset systemic pressures for further centralization of resources and programmes;

i. local community and civil society initiatives should be organized within a broader framework established by government on the basis of extensive local consultations;

j. recognizing that the institutions of local governance have limited capacity to undertake the complex challenges ahead, building and strengthening their capacities should be given priority by the government and the donor community;

k. the consultations should allow for full participation of the affected communities and all other stake-holders, including political parties, civil society, the private sector, and partners from the international community;

l. all stakeholders should commit themselves to the highest standards and to the provision of full information on the resources and programmes both to the affected communities and to the general public, in Sri Lanka and in the international community, in the spirit of transparency and accountability;

m. special opportunities are offered by the arrival of many new actors, from international, governmental. and non-governmental agencies ; we welcome them and invite them to work in partnership with local communities and organizations, respecting our cultures and customs, in conformity with the ICRC/NGO Code of Conduct for Disaster Response Programmes, and providing full information on their resources and their programmes to the communities in whose name their actions have been launched.

3. Longer-term perspectives

a. the urgency of relief and rehabilitation should not divert the attention of stakeholders from our collective responsibility to address longer term challenges of development with equity, democratic governance and human security;

b. the debate on the broader implications of the tsunami disaster that is now taking place provides an opportunity for all to explore new approaches to development that allow for:

- i. the reduction of poverty through more rapid and more equitable growth,
- ii. environmental sustainability, and
- iii. more inclusive governance;

c. new trends and challenges will need to be monitored, analyzed and addressed by all stakeholders so that we may together take full advantage of the new opportunities for peace and development.

As we embark together in the design of our support for the rebuilding of lives and livelihoods, we commit ourselves anew to assuming our responsibilities and extend our hand of support to our partners in Government and in the international community. We do so above all in support of affected communities and in a spirit of constructive engagement based on the core values and principles that we share. ■

GUIDELINES FOR TSUNAMI-RELATED REHABILITATION AND DEVELOPMENT ASSISTANCE

Centre for Poverty Analysis

Introduction

In the face of the scale loss of life and material property brought on by the devastating Tsunami, there has been an overwhelming response from people and organizations to help in the rebuilding effort. They want to see immediate benefit as well as lasting impact. They have goodwill and resources, but expertise of how best to help is limited.

In such a situation, it has become imperative to develop and apply some basic guidelines for the delivery of assistance in order to avoid pitfalls commonly associated with rehabilitation and development. It is essential to emphasise that experience worldwide has shown that “good practice” in recovery after natural disasters generally reflect principles of good practice in development, albeit with a shorter timeframe” (World Bank 2004)

Following is a set of guidelines for the delivery of reconstruction, rehabilitation and development assistance to those affected by the tsunami in Sri Lanka.

They are based on experiences made by CEPA as well as other agencies nationally and internationally, in the areas of development assistance, including disaster-related relief

- ◆ They are aimed at individuals and organizations that have limited or no experience in relief, rehabilitation or more broadly, development work
- ◆ They are formulated to assist measures that go beyond the immediate emergency and relief phase, and deal with post-crisis recovery.
- ◆ They will be continuously updated and revised as the situation and priorities change in the country (please see special link on www.cepa.lk)

The guidelines incorporate the various stages associated with rehabilitation and development interventions and includes,

- ◆ Situation assessment
- ◆ Identification of support interventions
- ◆ Delivery of support intervention
- ◆ Monitoring and follow up

Principle Considerations

At the outset, some basic principle considerations to prepare the grounds are set out.

Better than before. Planning for a post-Tsunami vision should be to build a nation that will be better than what existed ante-Tsunami

Considering the overwhelming support affected countries are presently receiving, a vision for rebuilding could encompass a return to more than the situation that existed before. Many of the worst affected areas were those that were already experiencing poverty and other forms of deprivation. Conditions of socio-economic infrastructure, as well as livelihood conditions were below than those seen in the rest of the country.

The recovery from the disaster will be essentially a development issue, which involves elements of poverty and vulnerability. Planning efforts should look to laying the grounds for the recovery of those left behind in a way that makes them and the nation stronger and better able to face such calamities in the future. This means dealing with longer-term issues of poverty and vulnerability at the outset.

Flexibility and staying power. Sustainable and lasting impact requires flexibility and longer-term support and commitment. Rebuilding lives and livelihoods requires time and patience

It takes time to plan, especially if the vision is to return to a status that is better than before the Tsunami hit. Damaged structures and services may not necessarily be restored in their previous locations or forms and this can be used as an opportunity to make improvements.

Respect for individuality. The scale of the trauma will produce different coping mechanisms, we have to respect and work with the different choices people will want to make.

We have to keep in mind that people have different ways of coping with such a trauma. For some it might be a secure house, but one

that has a second storey, or built away from the coast, for others it might be a temple and not a house. Rehabilitation interventions must show flexibility to meet these needs. It is after all the affected that we are trying to help, in addition to our own need to do something.

Guiding Principles

Guiding principle 1: One among many. Obtain information on similar efforts by others by coordinating with relevant authorities / agencies at the central and decentralized levels, and complement these efforts. This will avoid wastage of resources due to duplication of efforts and competition among support providers.

Coordination and communication channels are getting into gear and dissemination of information on relief and rehabilitation is becoming available. At the central level, the government has set up three task forces and the foreign agencies as well as local and international agencies have their coordinating points (see annex 1). Potential donors¹ are advised to take the time to obtain accurate and reliable information on 'who is doing what'. This will help to identify where the gaps are. In terms of the type of activities as well as issues of quality, the principle of 'building better than before' should be at the forefront.

Possibly due to its emotional symbolism as well as visual images, houses are receiving high attention by a large number of non-government and private sector organizations. Decisions on numbers and locations are being made on the basis of inadequate information, without reference to the relevant authorities, not least the recipients themselves. Information such as the availability of land, willingness of the affected to return, type of structure - have to be assessed prior to decisions being taken. In many cases, those who lost houses were squatters and they will be given land in new and safer areas. In other cases, people may not want to live in the same locations anymore

In addition to houses, many other physical structures have been destroyed. To name a few, household level livelihood assets, household assets, wells and water systems, toilets and other sanitation systems, at the community level social and economic assets schools, community centres, dispensaries, places of worship, training centres, modes of transport and connectivity such as rural roads, culverts, vehicles. All these are aspects of physical reconstruction. In addition there are non-physical aspects that are necessary to re-build communities and lives affected by the disaster.

In addition to obtaining information at the central level, it is necessary to make on-site visits to the locations intended for support, to incorporate information from the ground.

Guiding principle 2: Why and what for. Be clear about the focus of the intended support, including questions of why is it being considered and what is to be achieved. This may seem obvious

given the circumstances, but nonetheless necessary in order to make an effective contribution. It is necessary to discuss questions such as, why are the activities considered being are chosen, are there intrinsic skills, expertise, resources being brought in by the donor, is it on the basis of perceived needs, how can these be linked into the 'larger picture' of the rebuilding effort, what should be the end result, in the mid-to long term.

Guiding principle 3: The parts make the whole. Focus activities within a broader 'whole' and don't ignore complexities

Rehabilitation and development deals with people and societies, which involves complexity. Post-Tsunami recovery cannot be divorced from the broader dynamics of the society and community before the disaster. Rebuilding lives involves more than erecting physical structures, and rebuilding a house is physical intervention in a human setting. It also involves consideration of how the process is organised as well as what is to be done. Aspects such as how the assistance will be delivered, who to involve, how can recipients be consulted on the form of support required, needs as much consideration as the question of what to do.

Guiding principle 4: Ownership/ Donor-ship. Invite joint planning and implementation with those affected, rather than 'doling out'

In emergencies of this nature, a policy of 'all aid is welcome' tends to be adopted and the response to the crisis is supply driven (the support that is forthcoming than what is needed). Supply driven responses go even beyond the immediate relief stage, even when channels for communication and access to affected communities are available. Rushing to deliver support, be it houses or fishing boats, on the basis of information that has not involved the communities for whom it is intended, is in almost all instances, considered 'bad practice' in development.

Post-Tsunami recovery should build on the hopes and aspirations of people rather than further compounding their sense of helplessness through externally directed intervention. People have their own ideas of what needs to be done, which are usually more informed than those made by external actors. Even if there are reasons to do things different, this should be explained through joint planning and meetings. Above all it is important to keep in mind that dignity is all most people have left. Taking this away, and turning victims into beggars should at all cost be avoided.

Development practice is replete with examples where the more sustainable projects are those that involved consultation and involvement of affected communities and families. Involving people the planning of interventions is fundamental to creating a sense of ownership, which will determine the longer-term sustainability of the intervention. 'Doling out', will only further their sense of helplessness and create unhealthy dependency. For instance if a project wants to support income generation in a fishing village, it might be that opportunities existed outside fishing that the community didn't previously have access to. Giving fishing

boats will keep them in their previous situation. Training them in masonry might provide them with a new skill that can open up new opportunities in addition to their old ones.

Guiding principle 5: Planning for sustainability. In addition to provision of immediate needs, focus on investment into longer-term economic and social infrastructure, skills and means of generating income

As much as there is an urgent need to provide immediate needs (food, clothing, drinking water, medical care) these are by and large now being met and will lessen in the weeks ahead. Investments into reconstruction should include socio-economic and cultural facilities (housing, sanitation, wells, schools, community centres, dispensaries, recreation and religious facilities, transport and access roads, bridges, culverts, shops, to name a few). Equally important is restoring the means of income generation. Jobs have to be restored or created, loans provided or re-scheduled (ideally not written off), skills have to be developed (ranging from areas such as disaster preparedness, first aid, health and nutrition to more practically oriented vocational and technical training). It might be that in some cases pre-Tsunami livelihoods might not be possible to be restored (for instance tourism, if regulation require that new structures cannot be near the beach). In this case skills and loans might need to be facilitated.

Needs also change with time. In the immediate aftermath, asking a person who has lost her home what she needs might say, “a house”. Asking the same question in two months, might bring the reply “a road access to transport goods to the market. When these needs change, the flexibility and resources should not have dried out.

Guiding principle 6: Transparent selection. Decide on how to select beneficiaries (irrespective of whether individual or group) and make the selection criteria transparent

One of the biggest challenges of development interventions is the selection of recipients for support. Finite resources and infinite needs means that some will gain and others will not. The process of how the selection is done is of crucial importance in order to have the desired outcome and impact as well as to mitigate, if not prevent, the creation of conflict.

Any community or locale also has a specific and distinct conflict environment. Any outside intervention then becomes part of this conflict profile and runs the risk of exacerbating existing conflicts. It is vital then in areas such as beneficiary selection, selection of particular locales, dealing with local hierarchies and targeting marginalized groups, that this factor is also considered.

It is important to better understand the pre-existing community environment and to accept that the interventions made by the external actor will not take place in a social vacuum. The social relations that existed may have been changed or damaged by the disaster but they remain powerful and cannot be ignored.

This is another reason to link up with existing organizations and networks at the local level as they would have the desired overview. Decisions on who will receive support and who will not should also involve the communities themselves. This will ensure not only that decisions are made transparent, but that responsibility is shared by community and not passed on to some outside agent that can later be blamed.

Guiding principle 7: Encouraging self-help. Draw on local capacities and resources wherever possible and don't do what people can do themselves

As with planning, the delivery of support should involve those affected. At times of such disaster, the emotional response is not to impose additional burdens on those affected. In the longer term however, drawing on local knowledge, resources and capacities will help revive local economies (e.g. using locally made bricks, local masons and carpenters) and local systems (decentralised authorities, community level organizations and societies). Even if the resources are not available in the community, they might be in town close-by. This may not appear economically efficient, but the multiplier effect into the local economy will be vitally important in the longer run. Experience has shown that even in instances of reconstruction after a natural disaster, the more sustainable interventions have been those that draw on people's own skills, efforts and resources

Most communities have vibrant local organizations and societies. Even if temporarily displaced and dislocated these would eventually revive, and all efforts should go into supporting their revival. The relief and reconstruction work that is currently taking place in many of the affected areas are using the existing networks and social hierarchies that were in place before the disaster. Examples of this at work are religious leaders community leaders and respected persons such as school- teachers and principals organising relief delivery and absorption at various centres. It is important to acknowledge that social networks and a distinct social hierarchy was in place before the disaster and that they would have far greater legitimacy within the community than any outside actor.

Donors should therefore form partnerships with existing local networks and societies (e.g., temple societies, death donation societies, Samurdhi Societies, Women's Groups, School Development Societies, Community Centre Societies) in the planning and delivery of support. The interventions would perhaps then be most sustainable and most accepted by the community of such leaders and networks are explicitly and officially involved. This will also enable longer-term supervision and follow up of activities beyond the immediate weeks and months

Guiding principle 8: Follow through for success. Systematic monitoring and follow up will make interventions more sustainable All those interested in what the ultimate outcome or benefit of their contribution has been should invest a minimum of effort into monitoring and follow up of activities. Even in development

projects that are implemented under 'normal' conditions, require constant monitoring so that adjustments can be made on the basis of new information. Staying in touch with the recipient communities will enable the donor to provide input into additional areas of support that may be required. Since the ground situation will be dynamic and constantly changing, staying in touch is imperative.

Examples of the mis-utilisation of aid are plentiful and largely due to inadequate monitoring of both financial disbursements as well as the activities and outcomes of interventions.

Community based monitoring where recipient communities self-monitor the support they receive is an efficient and empowering method of organising monitoring and follow up.

Annexes

Annex 1

Contact points for information on ongoing efforts

I. Three coordination Task Forces have been set up under the Presidential Secretariat.

- ◆ Task Force for Rescue and Relief (TAFRER)
- ◆ Task Force to Rebuild the Nation (TAFREN)
- ◆ Task Force for Logistics and Law & Order (TAFLOL)

II. Foreign embassies have set up coordination desks at the Centre for national Operations (CNO) at the Presidential Secretariat to record and that coordinate assistance coming in from their countries. This includes names of organizations, types of assistance, and funds. In most cases these are in the nature of immediate relief (drinking water, medical aid, disaster equipment).

III. International and national NGOs are recording and coordinating relief assistance and types amounts of funds received. Contact points include the Consortium for Humanitarian Agencies (CHA). See Annex for details.

Composition and Terms of Reference of the three Task Forces

Task Force for Rescue and Relief: Dr Tara De Mel - Chairperson

TAFRER will collect, analyse and tabulate data of those affected by the tsunami disaster and assess the on going needs of all sectors. It will coordinate and facilitate the implementation of all rescue, relief and rehabilitation activities through the relevant line Ministries, District Secretaries and Divisional Secretaries and other relevant Govt. Authorities. This Task Force will coordinate all international donor assistance, voluntary services and NGO assistance and rehabilitation activities in consultation with the Ministry of Finance and Planning, Ministry of Foreign Affairs, relevant line Ministries and the Centre for National Operations (CNO).

Task Force to Rebuild the Nation: Mr. Mano Tittawella – Chairman
TAFREN will assess the damage and formulate a comprehensive

action plan to rebuild infrastructure and its future development. Work towards this end will begin on 15th January 2005 and is expected to be completed within one year. The priority areas are housing, hospitals, schools, fisheries, power, roads and bridges, railway, water supply & drainage, telecom, tourism, urban development and the environment. It will coordinate and implement the approved plans through state and private sector organizations and Local Government bodies. The 'Authority for Rebuilding the Nation' will be established under an urgent Parliamentary Act.

Task Force for Logistics and Law & Order: Mr. Tilak Ranaviraja – Chairman

TAFLOL will coordinate all logistical activities of relief work, and facilitate easy access to relief supplies to those in need of it. TAFLOL will coordinate with the Customs and Immigration Authorities and ensure the secure storage and distribution of the basic needs of the disaster victims. This unit will work in consultation with TAFRER and the Centre for National Operations - NOC housed at the President's Office. This unit will ensure the maintenance of law and order and provide security in the tsunami affected areas. This unit is tasked with the protection of the disaster victims from harassment and exploitation.

Source: Presidential Secretariat, 04.01.2005

Annex 2

Useful coordination websites

Centre for National Operations (Government)

<http://www.cnosrilanka.org>

http://220.247.224.24/orgreg/Search_org.jsp

National Disaster Management Committee (comprising NGO's)

<http://www.lk.undp.org/ndmc>

Annex 3

External references

Consortium for Humanitarian Agencies (CHA), & The Brookings-SAIS Project on Internal Displacement (2003), Practitioners Kit for Return, Resettlement and Development, An Agenda for a call for Action, Colombo, Washington

German Technical Cooperation (2003), Guidelines for Building Measures after Disasters and Conflicts, Eschborn

German Technical Cooperation (2003), Community-Based Disaster Risk Management, Experiences gained in Central America, Eschborn

Telford, John et al (2004), "Learning Lessons from Disaster Recovery, The Case of Honduras" Disaster Risk Management Working Paper Series 8, World Bank, Washington D.C. http://www.worldbank.org/hazards/files/honduras_wps.pdf

1 The word donors is used to refer to those individuals and organizations wishing to provide support, and may come from the private sector, individuals, and non-government organizations. ■

PSYCHIATRISTS RECOMMEND GUIDELINES

The Sri Lanka College of Psychiatrists expressed its condolences towards all those affected by the tsunami disaster is widespread. There is now a demand for help and guidance by those affected and those engaged in relief work to help people cope. After providing basic necessities and healthcare facilities, psychological support is important in helping people restart their lives.

The Sri Lanka College of Psychiatrists recommended the following which can be implemented at this state. These recommendations are based on scientific evidence.

Coming to terms with the loss

Many people are still in a state of shock and grief. They need to be given time to come to terms with their loss. Some people who have lost loved ones have been able to recover their bodies and perform funeral rites while others have not. It is important that all these people are provided an opportunity to participate in religious and social activities on behalf of their relatives. Therefore we recommend that religious activities and other ritual such as alms-givings and special services be conducted on a small scale at the places where people are currently living. Individuals who have known to have died can be individually remembered by name at these ceremonies. Since many people are currently housed in religious institutions these activities may be organized by religious leaders in the area. Even the simple act of lighting a lamp or a candle in memory of someone who has died is a step in the process of healing.

Restarting normal lives

Many people cannot go back to the homes they were in, but it is important that people are allowed to being the process of normal living. People should be allowed to organize the places they are in. Participating in cooking, cleaning or even clearing up the surroundings by those who are able to, will help create the feeling that they are useful members of the community. Being passive recipients of handouts for too long dents the self-esteem of these people who were leading independent lives before.

Needs of children

Children cope best when their care-givers are well adjusted. However they have special needs that need to be addressed at this stage. They too need to restart all those children who are able to, should be allowed to attend school. Until then 'schools' can be started at the centres which can be of one or two hours' duration.

The people themselves should be encouraged to start such activity rather than wait for others to organize these. Children should be allowed

to play, dance, sing like they normally do. Although some people may feel this is inappropriate behaviours, this is an important part of the healing for children. Provision of toys, drawing equipment, books etc. will help this process.

Counseling

There is scientific evidence to show that individual 'counseling' for debriefing, whether by trained or untrained person, may do more harm than good at this stage. What is necessary is that people are later provided an opportunity to tell their 'stories' over and over again as this helps them come to terms with what has happened.

Anyone who can should listen to these people but not offer advice and 'therapy'. The process of healing occurs with time through normalization of life and not necessarily by expert therapy.

Many people will eventually cope with the psychological impact of the disaster. However some individuals who show signs of severe psychological impacts may need medical intervention. The impact of shared trauma may have a helpful impact too, on the healing process and this should not be forgotten. Allowing people together to deal with their collective disasters and grief is not a normal part of counseling, which is more geared to deal with individual disasters.

Social influence

The reports already received show that in many locations, the affected people are returning to rebuild lives. But in a few places there appears to be a force from among the affected communities themselves to keep people 'dependent' and not allow individuals and families to get together to cope with the situation. These appear to be members of the community who were previously a little prone to dominate or control others and who are now 'taking charge' of distribution and handing out relief supplies that well-wishers bring for distribution. They may have a vested interest in keeping others under their command and preventing them from collectively trying to rebuild the community. Thus it is important to recognize that activities which promote the psychological well being of those affected at this stage are mainly simple, community based activities and not specialized treatment focusing on individuals.

Preserving the dignity of the people

We should always remember in the process of helping that we need to preserve the dignity of people. Those who have undergone trauma should not be viewed as specimens. These people just a week ago were living their own lives without any help from others. Many have lost their livelihoods. One way of preserving this

dignity would be to help provide some form of employment to those affected as soon as possible so that they can become independent again.

Considering the above, the Sri Lanka College of Psychiatrists in conjunction with the center for National Operations is coordinating efforts to provide psychological and psychical help and has assigned a team of consultant Psychiatrists who will be responsible for relief measures in the affected areas. Those affected and those conducting relief work are advised to contact their local hospitals for further assistance.

Special arrangements have been made at psychiatric units of the following hospitals for this purpose; National Hospital of Sri Lanka, Colombo (Tel 2691111), Colombo South Teaching Hospital, Kalubowila (Tel. 2763261), Colombo North Teaching Hospital,

Ragama (Tel 2959261), Colombo North Teaching Hospital, Ragama (Tel 2959261-3), General Hospital Nagoda, Kalutara (Tel 034 2222261-2), Teaching Hospital Karapitiya, Galle (Tel 091 2232250-1), General Hospital, Matara (Tel 041 2222261, 047 2222016), General Hospital Batticaloa (Tel 065 2222261, 065 2224461), Teaching Hospital, Jaffna (Tel 021 2222261).

Specialized services are also available at Base Hospital's Ampara (Tel 063 2222262, 0632224725) and Trincomalee (Tel 026 2222262).

Other organizations both local and international wishing to provide psychological and psychiatric assistance are kindly requested to contact the College at slcpsych@yahoo.com to enable the co-ordinate related relief efforts and also prevent the inappropriate use of the resources.

GUIDELINES ON HUMANITARIAN ASSISTANCE IN POST-DISASTER SITUATIONS

Batticaloa NGO Consortium

Over the past two decades, it has been encouraging to witness an international consensus emerge with regards approaches for “sustainable development”. It has been felt that sustainable development requires that development interventions are participatory, consultative and be sensitive to the diverse political, social and economic contexts within which people live. This recognition and movement towards sustainability was also incorporated into development interventions of international organisations working in Sri Lanka, such as the German Development Cooperation (GTZ) bilateral agency or United Nations High Commissioner for Refugees (UNHCR). At a global level, the German Federal Ministry for Economic Cooperation and Development (BMZ) has identified human rights, democratic values, gender equality and peaceful conflict management as central to their operational principles (Mayer et al, 2003), and the UNHCR has long asserted that relief activities be, development oriented from the outset, and thereby enable beneficiaries to move quickly towards self-sufficiency (Crisp, 2001). These priorities have manifest in Sri Lanka as directives to local organisations to follow humanitarian/development principles such as “Do No Harm” and “Peace and Conflict Impact Sensitivity” in their work.

Against this backdrop, it has been astounding that most post-tsunami reconstruction and rehabilitation work has been designed and implemented with apparently no regard for the good practices documented and advocated for globally by the dominant humanitarian and development institutions. In Batticaloa, we have been extremely concerned that there has been inadequate consultation with community groups, let alone local development practitioners and civil society activists. Decisions about large-scale projects affecting the lives of thousands of families are being taken hastily by locally-based officials of international agencies (such

as those of the United Nations and GTZ) in collaboration with district-level representatives of the Sri Lanka government. This has been most alarming in relation to the decisions being made about temporary resettlement of displaced people. A sense of urgency has been created around this issue by the officials of international organisations (irrespective of whether this urgency is felt by the people who have been affected) and decisions about location and types of shelters are being made without any consultation with the communities themselves. It has been terrible to witness these decisions being implemented, with displaced people being loaded into trucks to new locations with neither adequate prior information nor any influence in determining where they might wish to be sheltered. The absence of the provision of clear and accurate information through reliable channels has created much uncertainty and worry for the displaced people.

There has been inadequate safeguarding of democratic principles, gender equality or human rights of affected people, regardless of the “operational principles” endorsed by the agencies or the instruments of international law ratified by the Sri Lanka government or other states involved in bilateral aid provision. This undermines the principles of good governance and the long term democratic orientation of the region, implicitly endorsing a less consultative and more authoritarian approach to governance. In terms of “smaller-scale” impacts, the lack of consultation in decision-making presents significant risks for the effectiveness of interventions in the mid to long-term. In terms of a development perspective, such approaches to “decision-taking” are illustrations of mismanagement and bad practice. Experiences from countries such as Bangladesh have shown that rushed decision-making based on “technical requirements” without consultation processes with affected populations has resulted in making situations far worse in

the long term. For example, although the Bangladesh camps where the Rohingya communities were settled met their material survival requirements, they did not provide any other opportunities for human development and increased the suffering of the displaced persons. Given the availability of global literature documenting experiences from disaster contexts offering widely accepted good-practice guidelines, it is unacceptable that such had development practice continues on the part of the state and international agencies.

Internationally, there has been a move towards the planning for and with displaced populations rather than the planning of their temporary settlements, so that displaced populations can live with relative dignity and security, and work towards self-reliance in their new or temporary communities (Chalinder, 1998). There needs to be an awareness of the diversity of the displaced population (for example, caste, class, religious and gender differences) and their diverse needs, as well as the interactions between the new settlements and host populations. It is imperative that current (hasty) decisions should not lead to more serious long-term problems in the future.

Key issues to keep in mind when planning for temporary settlements are those of protection, security, socio-cultural context, the needs of especially vulnerable groups, access to services and livelihoods, environmental concerns, relationship with local population, and coordinated service provision. Protection needs of the displaced populations (especially potentially vulnerable groups such as women or children) should be part of all needs assessments taking

into account the possible negative impacts of relief operations (Chalinder, 1998; Darcy, 1997).

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WOMEN'S GROUPS - PRESS RELEASE

Women's Groups appeal for an inclusive framework for disaster response

A collective of women's rights groups who have conducted a series of fact-finding missions in the tsunami-affected areas over the past week wishes to bring to public attention serious issues concerning the safety and wellbeing of women which have not been addressed so far in relief efforts.

We appreciate the many public initiatives to collect and deliver relief and assist those affected by the tsunami in whatever ways are possible. However, our observations indicate that these efforts need to be refocused to ensure that those who have suffered as a consequence of the tsunami are not subjected to further violence and abuse by unscrupulous persons.

The heightened vulnerability of people in these areas due to the destruction of communication lines and the large-scale mass displacement and death of people has created situations in which women and girls become more likely to encounter violence.

- In particular, we have received reports of incidents of rape, gang rape, molestation, and physical abuse of women and girls in the course of unsupervised rescue operations and while resident in temporary shelters, particularly in the south. Apart from these incidents (the number of which is not known), these reports have also indicated that women's mobility continues to be restricted due to the fear of sexual violence. No proper monitoring body has been set up to receive complaints, to take action against perpetrators, or to ensure the safety of women in these areas.
- We urge government authorities, and the Ministry of Women's Affairs, in particular, to take note of these violations, and to take immediate measures to investigate such incidents. We also urge collaboration between state institutions and agencies such as UNHCR, OXFAM and other agencies working on gender-based violence in this matter. Provision of adequate security and establishing complaints mechanisms should be an urgent priority in the relief process.
- We are also concerned that the information flowing from the Tsunami-hit areas does not provide detailed accounts of the numbers of specific vulnerable communities such as pregnant women, lactating mothers, persons with physical and mental disabilities, persons with special medical needs and requiring daily and consistent medication. The collection of such data is absolutely critical for identifying priority needs in the days to come. In addition, accurate record of all those hospitalised after the tsunami should be given wide publicity.
- The lack of a system that could identify children separated from their families has also hampered efforts to locate families missing children or to resettle children with relatives in the locations where they were found. We strongly urge the National Child Protection Authority to work in coordination with the Department of Probation and Childcare Services to set up a mechanism to address this problem.
- As an initial step, measures should be taken to call on all those who know whereabouts of unaccompanied children to register them at the nearest Police Station or at the desk of the Department of Child Care and Probation Services at the Divisional Secretariat, and to give adequate publicity through the print and electronic media as to the present whereabouts of children.
- The role that the media can play in helping people to find missing persons and children should be systematised so that there is no duplication of efforts but rather a fruitful collaboration.
- The inadequate structures of coordination within the government bureaucracy at the level of Kachcheris and Divisional Secretariats is also a matter of grave concern. In view of the fact that government officers in local administration who were resident in the areas have also suffered personal loss during this time, it is imperative that the government seconds senior and middle-level government officials to take over administrative functions in the tsunami affected areas in order to ensure that these structures are able to function efficiently for relief efforts.
- Considering the enormous destruction to life and property, we urge the government to postpone the Advanced Level Examination and all university examinations.

Women's groups throughout the island are committed to extend their fullest support to both state and non-state structures that will work for the provision of immediate relief as well as for medium and long-term reconstruction and rehabilitation of all those people of Sri Lanka who have been affected by the tsunami in the framework of sustainable development and a lasting and just peace.

MOTHERS AND DAUGHTERS OF LANKA
SRI LANKA WOMEN'S NGO FORUM
WOMEN'S ALLIANCE FOR PEACE
WOMEN'S ALLIANCE FOR PEACE AND DEMOCRACY
ACTION NETWORK FOR MIGRANT WORKERS

1 January 2005