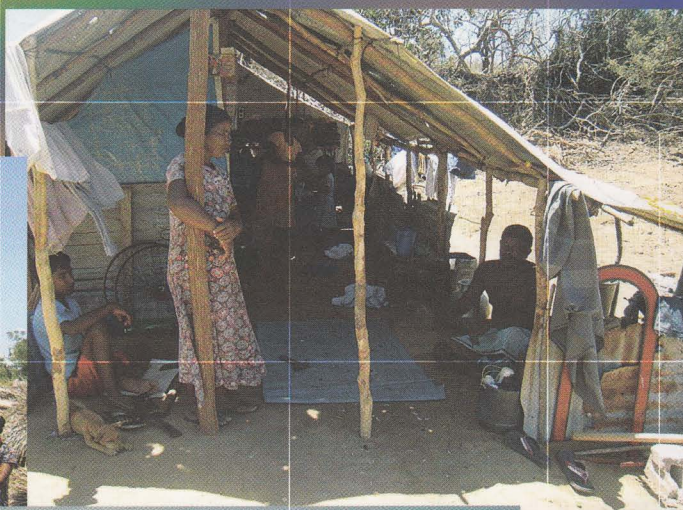


Going Behind The Camouflages:

RESETTLEMENT OF THE WAR AFFECTED IDPs IN SRI LANKA



2012

GOING BEHIND THE CAMOUFLAGES:

Resettlement of the war affected IDPs in Sri Lanka

Field Report on Resettlement - Northern Province of Sri Lanka.

11-14 July 2012

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Introduction

When you read the field visit report of the resettlement of the Internally Displaced People[IDPs] you all will realize the reality of the so called resettlement scheme of the country. Uduppitty, Moor Street, Mullikulam, displaced camps as well as so called Thiru Murugandi, and Sinnaveli resettled camps are the places where we visited in this field work.

"It is well planned revenge against us." This is some of the complains we heard from various community members in the northern province and which is an unfortunate situation. It is justifiable criticism of the northern province IDPs when the government is not take care of those people, their needs and fulfill their reasonable aspirations with due respect and care.

Some of the people in those camps said, "Government act deliberately forgetting there is a remaining group of IDP like us to resettle in the country."

The government very firmly says that there the most of IDPs have been resettled and there is only very small number of people are remaining to resettle in the north. The general public in the south of Sri Lanka also trust highly those media reports without any doubts. There is a big question mark about the free media as well though this is not the time to discuss it.

The brutal war which ended up more than 3 years ago. The GOSL military forces defeated LTTE through arms and GOSL very proudly says, there is Peace prevailing in the country. But, there is a question mark about this peace as whether this is a sustainable peace or not. As almost all the politicians say, is the development is the only challenge in front of the country? There are number of challenges in front of us. There are so many errors, mistakes on the resettlement process of the IDPs., accountability of the war, building up ethnic harmony and reconciliation, building sustainable peace and also infra structure development are some of the challenges ahead of us.

The brutal war caused to serious damage to the uncompromised, undeniable rights of people's security, human dignity, freedom, and independence. This was a structural collapse and break down of values in our society. As it see, the conflict has been solved now. But, the root cause of the conflict is still remains. Have we addressed any of the root causes? There is no any trust for success of the activities for find solutions to the conflict unless we take measures to address the root causes.

We were observed numerous complex areas of the resettlement of the IDPs. Though we report the ethnic minorities in the country, the Tamils and Muslims are the majority in the North and East of the country. During the war, those people were the worst hit and directly affected due to war. Even LLRC report mentioned, that when a bomb blast in a bus in the south, there were rain of shells on the heads of the people who were lived in the N/E villages. So, those people vacated their own lands searching for their safety. Protect their children from shells, bombs, attacks from both the sides. How can we justify the situation of the people when they are living in the IDP camps up to today?

In this context, some of the people are living in temporary welfare camps more than 20 years by now. They do not have any land to settle today. But, the same people had some land for their living as well as agriculture for their livelihood. Some of the families have extended more than one family during this period. Even though, they were given their previous land, this is not adequate as number of families have been increased. At the same time, the land which were belong to those people have been captured by powerful people. Otherwise, their lands become ruined and abandoned lands. However, we were able to study the impact of Palali high security zone on lives of IDPs in the temporary camps in the northern province. We admit there should be measures for national security. But, even without giving any alternative, keeping the people in the welfare camps is unjust and unethical situation. There is a big ethical question in front of the Sri Lankan society today. It is debatable, how ethical that the grabbing the freedom of people, pressurizing the free will of people to live in a place where they are willing to live.?

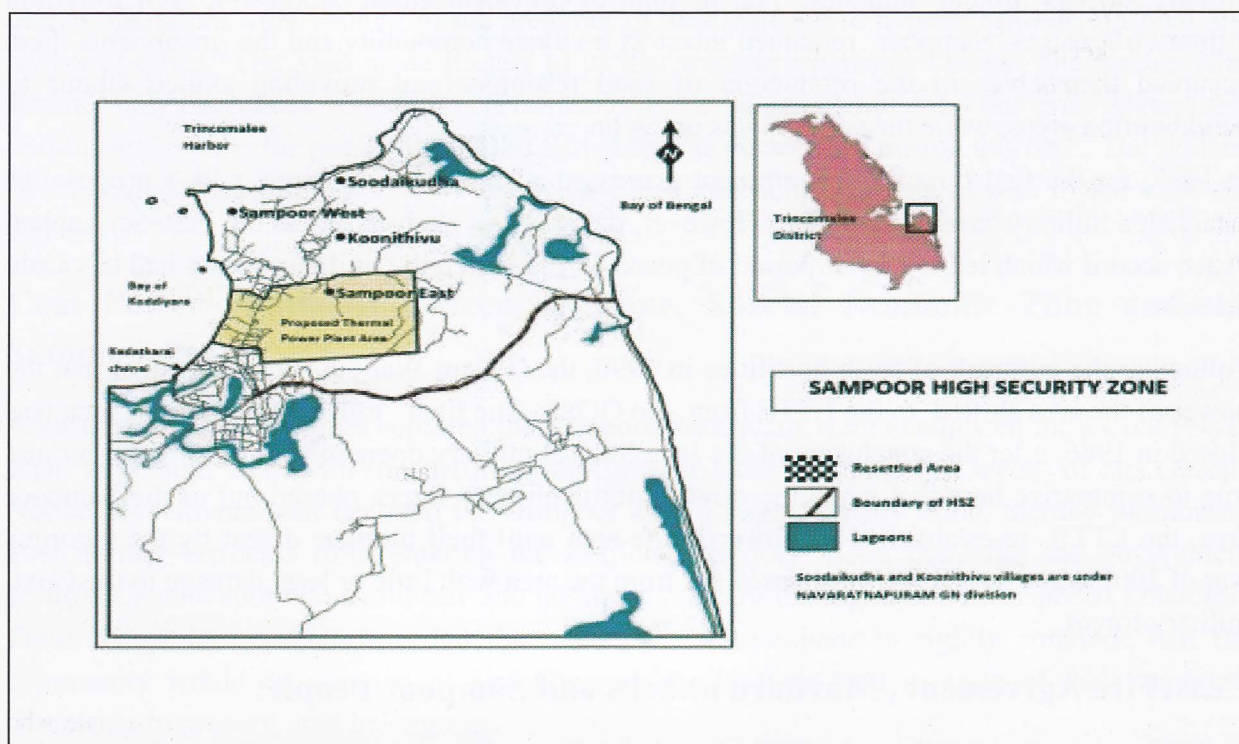
There were several difficulties observed in the IDP camps. Difficulties to provide food for the people, lack of water facilities, poor security facilities, break down of children's education, poor health and hygienic facilities, issues of housing and land, the poor conditions of the existing houses, as well as the environment of the camps for physical and mental health of the affected communities. Some of the people are living under tents. They are cooking under the trees. The Mullikulam people are one of an example of such community in our country.

Is it the meaning of real resettlement that the dropping of the people in their original village? No. However, Thiru Murugandi is one clear example of it. Some of the families among hundreds were taken to their original village and call it resettlement scheme. The area is covered with forests and people's properties become ruins. Is it the real resettlement, without providing any house, also lack of any infrastructure for basic requirements, no education, no hygiene facilities and dropping people in a jungle.? IDPs were taken to a land, where there is land with only the boundaries and it is in the jungle, can we say it is resettlement?

However, we as a nation can go forward if we can voice out for the grievances of the other people who are affected, if we are committed to the issues of the poor and needy. However, it is not happening today. It is a fact that our society is not caring others grievances. Our society is polarized seriously. In such situation, how do we expect that our country will move forward with strong base of humanity?

Sampoor: A People's Experience of 'falling from a haven to hell'

In 2012, members of the National Fisheries Solidarity (NAFSO) /Praja Abhilasha Network(PA) /PCHR/ Rights Now Sri Lanka visited the displaced communities of Sampoor, in the Mutur Divisional Secretariat of Trincomalee District in the Eastern Province of Sri Lanka. This report is a result of that visit.



Sampoor is a traditional Tamil village that abounds in diverse natural resources, and those who live there consider their village to be blessed by nature. In fact, the colloquial meaning of Sampur is 'perfect living habitat, with all of the basic things for a good life'. The traditional livelihoods of the people of Sampoor have been fishing and agriculture. They provided grain, pulses, fish, milk and firewood to neighbouring communities and to the national markets.

According to the Government Census of 2008, 1940 families lived in Sampoor, comprising 7,494 individuals. All the residents are Tamil; some of them are Hindu, others belong to the Catholic faith. The villagers of Sampoor have faced displacement several times because of the ethnic conflict; their final displacement was in 2006. Since then, 5000 acres of land was declared to be a High Security Zone (HSZ) and their return to their homes was prevented. Some families from Sampoor whose homes and property are within the area designated as an HSZ have continued to live in temporary and transit shelters, primarily in Kiliveddy and Kattaiparichchan, in close proximity to their original homes, for over 5 years. There are plans to build a coal power plant with collaboration from the government of India, and also some factories in the Sampoor area which also falls into the Special Economic Zone designated by the local government authorities in Trincomalee.

Sampoor In the context of the conflict

Being a Tamil village located within the conflict zones of the protracted war between the government's security forces and the armed fighters of the LTTE, Sampoor has been caught up in the conflict and its people have suffered the inevitable consequences for almost 20 years. The area has experienced mass arrests, invasion and capture of entire village communities, and also the burning of homes and property. From August 27 to September 4, 2006, there was intense military activity around Sampoor. Yet, in spite of prevalent ethnic animosity, civil riots and military offensives, Sampoor remained intact as a village community and the inhabitants there occupied themselves in the production of food resources and providing skilled labour to neighbouring areas, while the conflict was going on. .

In 1987, for the first time the government expressed an interest in the area, with a proposal to establish a military base in Sampoor. However, the idea was shelved due to the Indo-Sri Lankan Peace accord which led to a brief period of peace during which the military forces had to vacate the area.

Following the outbreak of fresh hostilities in 1990, the 'Eelam War', it became evident that the power of the area shifted to the LTTE from the GOSL. The final military camp in the area was closed in 1966, after the conclusion of the Jaya Sikurul military operation. It is therefore fair and true to summarize here that when the government's military forces phased out of the Sampoor area, the LTTE re-established its power in the area until their ultimate defeat by the vigorous war of 2006 when the LTTE was phased out from the area with little or least damage to the Govt. military forces.

CeaseFire Agreement , Mavilaru attacks and Sampoor People:

In 2002, when the GOSL and LTTE signed the Cease Fire Agreement (CFA), the situation throughout the north and east changed drastically. In the previous years, the LTTE had established their Police Headquarters and the Political Secretariat of the Trincomalee District in the Sampoor area. During this period Sampoor had become known among certain local and international circles. Government politicians and members of foreign diplomatic missions had been visiting the area with regular frequency.

The first air offensive in the area was triggered by a suicide bomber's attack on the army Commander General Sarath Fonseka in Colombo. In response, the LTTE attacked the Navy at Veththilakerney and Sinhala civilians at Kebithigollawa; further air raids by GOSL forces targeted Sampoor again. In 2006, Govt. military forces captured the area, and the displacement of the Sampoor people began to occur more steadily and forcefully.

Repeated air attacks by government forces compelled the villagers to flee the area, leaving their homes and possessions behind. They believed that, as the CFA was still in effect, military operations would soon cease and they would be able to return to their original habitat without hindrance or obstacle. These hopes were shattered. All the belongings they had accumulated from their ancestral families or acquired from their hard-earned family income - homes, livestock farms and farming and fishing implements - had to be permanently abandoned; even their public

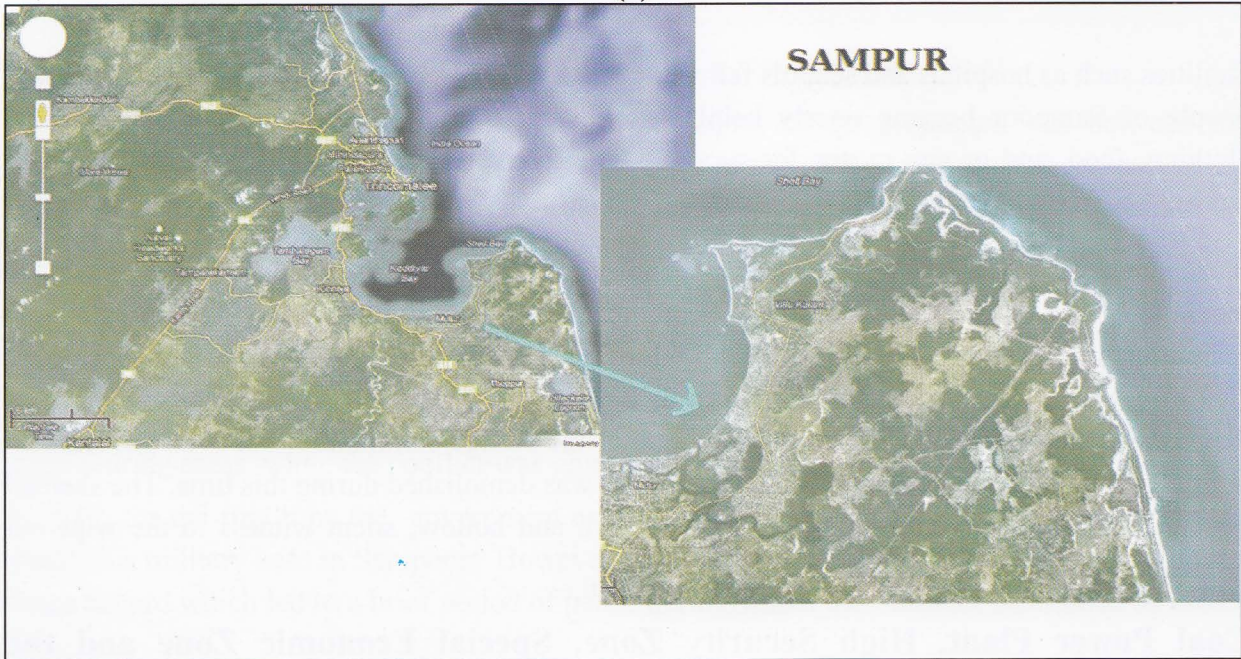
facilities such as hospitals and schools fell within the military controlled territory. As a result, the people of Sampoor became utterly helpless, lacking the basic necessities including shelter, clothing, food, and or any means for survival, irrespective of what they had earned or gained before.

In September 2006, a group of media personnel were brought by the army to visit the area. A media journalist in one newspaper of 10 September 2006: "The only damage in the area is from search operations after capture of the area, but of least damage to houses, schools, hospital and civil properties." Our visit made it clear to us that were irresponsible claims. The fact remains that not only the homes, livestock and farmland of the village community, but even government buildings including the public hospital of Sampoor was demolished during this time. The skeletal structures of these buildings stand to this day, still and hollow, silent witness to the wipe-out offensive !

Coal Power Plant, High Security Zone, Special Economic Zone and the Sampoor People

After the government forces captured the Sampoor area, plans were announced for a Coal Power Plant to be built there with support from the Govt. of India. Within a few weeks of this Gazette Notice, the Government declared the Sampoor area a High Security Zone, thereby prohibiting even former residents from entering the restricted territory. Soon thereafter the government secured Cabinet approval to allocate and nominate the surrounding region as a Special Economic Zone. These hasty enactments led the inhabitants of Sampoor to rightly conclude that the community would be stripped of hereditary claims to their land in spite of their ancestral ownership to property and belongings.

In August 2009 (just 3 months after conclusion of the final offensive) certain local newspapers reported that 5000 acres of land have been allocated for a coal power plant. What the media failed to disclose was that more than 500 houses had to be destroyed for this purpose without any prior notification or consent from their rightful owners who at the time were major food producers in the area. This is a clear violation of property rights !

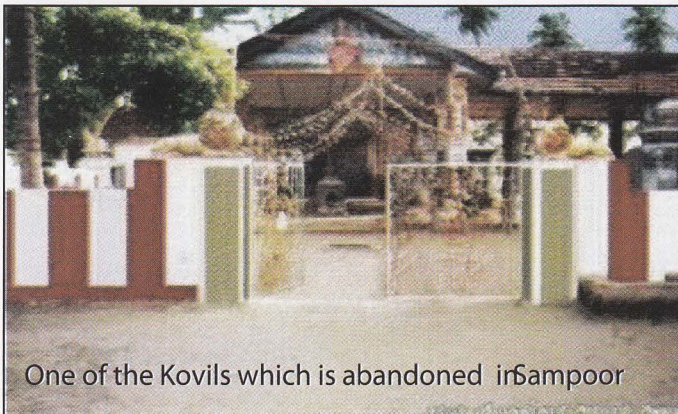


The gravity and illegality of such unethical conduct is one more example of the undemocratic manner in which land, which rightfully belongs to a poor community of farmers and fishers, is illegally transferred and allocated to a third-party as a government-sponsored enterprise. The government allocated the area for building the coal power plant to Indian authorities under the false pretext that there is no public claim to the land. No formalities had been followed when the government acquired the land of the Sampoor people. There was no cost benefit analysis of the project, no assessment of its impact on the well being of the villagers in Sampoor and surrounding areas people and no assessment of the environmental impact. No effort was made to invite and conduct public discussion, or share and disseminate information regarding the land acquisition and proposed development of the area with communities that would be most affected by these changes.

There is a general understanding among people that there is no credible, valid reason to violate existing land laws and regulations; they believe that even if there is a proposal to implement a national development program for the greater benefit and welfare of the country, this should not be done without attempts being first made to inform the public of such plans.

Sampoor Displacement and the background:

People had lived in Sampoor with freedom and prosperity. Due to one bomb blast at Colombo, people were displaced, and left to Veera Mahanagar. After one month, that village was subjected to shelling. The villagers then moved to Lankapattinam, their third displacement.



One of the Kovils which is abandoned in Sampoor

While they were in Lankapattinam, the bridge to that village was destroyed by an aerial bomb, and 60-70 people were killed. The people then moved on to Vakara, traveling on foot and on bicycles. There was no other transport available. The LTTE did not allow them to travel along the road so at some stages they had to abandon their bicycles and walk through the jungle. Once they got to Vakara, they were subjected to more

aerial bombing. Life here was very difficult. The people then tried to leave, again, and move to Batticaloa. At the Welikanda army camp, some of them were arrested; others were released. By December 2006, the people from Sampoor were living as internally displaced persons (IPDs) in various camps in Batticaloa, in Palameenmadu, Sahera, Sinhala Maha Vidyalaya, Sathurukondan, Kokkuvil, Palacholai, Navetkerni, Manjalthoduwa, Soukady, Eiyenkerney, Alankulam, and Vinayakpuram.

The resettlement process:



In the middle of 2007 the government began to organise a resettlement process without consultation with the villagers. There was some resistance because the villagers were not confident that it was safe to return. The people from Sampoor were told that they had to return to Trincomalee District if they wanted any resettlement support. The government began to pressure them, including by suspending the issue of

food rations to people who refused to return.

As one villager from Sampoor said: "We had some freedom at Batticaloa as we were lived close to Batticaloa town. Then the authorities asked us to return to Trincomalee. There was no consensus among the people about that. We told them "If you send us to our own village we will go, otherwise we do not want to go. But they sent the army and forced us to go back. At the first time they beat us and pushed us on to the buses, then the others followed with fear".

They checked us at Verugal and took photos of us. They took us to Chinnakulam and this was the place where we could stay. This is the same place that the government had earlier wanted to resettle people displaced by the HSZ. The people refused this at that time and refused it now.

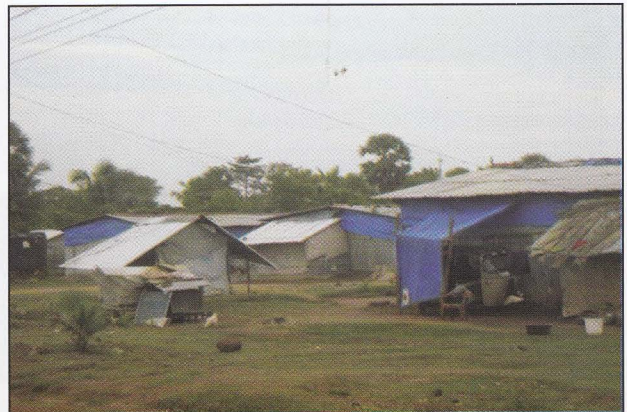
They settled at Kattaiparichchan, close to Sampoor. The Divisional Secretary was not pleased and said they could not support this; so far no support has been given from 2007 onwards. People came to Kattaiparichchan and built their houses themselves’.

The people told us: ‘In this kind of a hut, we can survive for only 6 months. But, now it is 2 1/2 years and this is how we have been existing.. This is too bad. This is the kind of situation you find continue in our places’.

The Government is not giving any support to these people and to these communities. The officials, they do not think about how to re-settle people with their consent. They don’t show any concern about the people’s issues. There is no humanitarian assistance at all. In Kilivetty camp, which is a transit camp where some people from Sampoor were temporarily re-settled, there was no water, no toilets. It is an inhuman situation here. Humanity has been murdered here.

What is the present situation of IDPs of Sampoor?

Today, the people of Sampoor are displaced. Most of them have lived in 4 transit camps for displaced from Sampoor that are in Kilivetty, Pattiththidal, Manatchenai and Kattaparichchan for over 5 years, enduring immense hardship, humiliation and mental depression. Only a few have moved to live with families elsewhere. Some government officials have forced people from Sampoor to re-settle in Iralkulam and Iththikulam areas. While Sampoor abounds in natural resources and there is easy access to water for agriculture, animal husbandry and fishing,,



the areas that have been proposed for resettlement are entirely different. Iralkulam is marshy land, which floods and remains submerged for prolonged periods during the rainy season. There is not even 100 acres that is suitable for paddy cultivation. How would rice farmers who cultivated 1000 of acres of land resettle in an area where there is no land for rice farming? On the other hand in Iththikulam there is no water even when one digs 40-50 feet deep into the ground.

Furthermore, there is no drinking water available for human use, leave alone for farming and agriculture. How could agriculture be carried out in such unsuitable conditions?



Current details of Sampoor IDPs who are living in the welfare camps

No	Details	Kilivetti	Pattiththidal	Manatchena i	Kattaiparichcha n	Total
01.	Number of families	614[584]	198[223]	61[70]	389[342]	1262
02.	Population	1872	671	224	1269	4036
03.	Widows	136	38	12	70	256
04.	Abandoned women	40	10	01	35	86
05.	Over 65 years old	99	37	15	250	401
06.	Students	450	168	75	225	918
07.	Nursery children	45	42	15	58	160
08.	Pregnant mothers	17	07	03	14	41
09.	Feeding mothers	50	30	15	42	137
10.	Disabled	31	08	06	02	47
11.	Parentless Children	08	10	06	07	31
12.	Permanent patients	29	08	06	09	52
13.	Famers families	109	20	20	105	234
14.	Animal husbandry	86	32	05	57	230
15.	Fisher men	45	28	25	65	163
16.	Small job holders	191	38	16	71	316
17.	Labourers	71	30	18	34	153
18.	Government employees	74	21	02	43	140

Source: Village Leaders Report December 2011, [NAFSO/ Praja Abhilasha Field Survey]

The people of Sampoor who once owned thousands of acres of land have now become landless, and form part of the displaced communities of Sri Lanka. There is hardly any other place in the Muttur area where they could find suitable alternative land for resettlement. In short, government authorities have forcibly grabbed the rich fishing and agricultural lands, forests and living habitat in Sampoor, without providing alternative arrangements for its displaced people.

On 1 November 2007, the present Minister for Economic Development, Mr. Basil Rajapakse released a press statement claiming that not a single family has been removed from Sampoor, and that the few people there were those who had been located there for security purposes by LTTE cadres, and that such families could not prove their ownership nor identify a single house which once belonged to them. This is a totally baseless statement because the community of people displaced from Sampoor have lived in those lands for generations.

The stand taken by Tamil politicians has also not been helpful to address the issues of the displaced people resident in the camps. The Parliamentarian of the area, who is also the leader of the Tamil National Alliance, MP Sambandan, is apparently not taking the issue seriously either. According to critical accusations by the displaced people of Sampoor, he and other Tamil politicians should take strong action including legal interventions, and mediate on behalf of their community.

India has already acquired the land for the coal power plant and the Special Economic Zone. A foundation stone for the Coal power plant was laid on 6 September 2011 while Tamil politicians it is alleged are afraid to take any action, debate these injustices in parliament or talk with India on behalf of the mass of displaced and silenced people.

What are the existing alternatives for the people?

Today the dominant question posed by affected village communities of Sampoor is, if there is not a single paddy field of even 250 acres left in the entire Muttur area, how would the GOSL be able to provide 2,500 acres of cultivable paddy land to replace the land captured from the displaced community? Meanwhile, more than 2,500 acres of their productive paddy land lies pathetically abandoned and isolated during and following the military offensive. As a result, more than 8,000 households composed of over 2,000 families have become unproductive, unoccupied and undeniably useless, suffering the detrimental consequences of displacement, desperation and abandonment while living herded together with those of their families and community who have been spared death, within five of the military camp enclosures in the area.

Thoduwankulam, Ilakkandai, Naiyandei, Velankulam, are areas where the displaced peoples were told they could go for farming last November. This was too late. For paddy cultivation, they should have begun work on the fields by October. There are about 140 people allocated to each acre of land. There are some people who owned more than one acre land who are compelled to share the land with others.

Important major educational institutes that have been affected in the area include the: Sampoor Maha Vidyalaya, Sampoor Sri Murugan School, Kuniththivu Navalar College, and the Soodekkudah Parathi College. It is further reported that an army camp has been established in the premises belonging to the Sampoor Maha Vidyalaya.

A few of the other prominent study centers and Hindu temples (kovils) badly damaged or near demolished in Sampoor are: Sri Badrakali Ambal Kovil, Sampoor Vinayagar Kovil, Sampoor Arasady Vinayagar Kovil, Kuniththivu Vinayagar Kovil, Kuniththivu Vada Badrakali Ambal Kovil. The Soodaikkudah Mari Amman Kovil has been abandoned and lies in ruin. The well known Sampoor Sri Badrakali Amman Kovil has been bombed and destroyed; the Sampoor Naga Kovil has been demolished fully.

The million dollar question then is, where in the world is there a country that would aim to implement a national development project while forcibly displacing 8000 people from their homes and their livelihoods., depriving their children of access to 5 schools in the nearby vicinity, and depriving people of access to 7 places of religious worship (Kovils) without a plan that has been discussed and agreed upon with the affected communities and that would guarantee them a dignified life and livelihoods? Who would be held responsible for this wanton destruction of a community of our nation's valuable citizens? Need it be their destiny as members of a minority community, who had the fortune to be born in an area rich with natural resources? Why should these innocent and hardworking people be held hostage because they fell under the pressure of the LTTE militants, who for a brief period happened to command control in the area?

Kadatkarachchenai- A. Raveendramurthi, Fisheries Coop. Chairman

'The tsunami of December 2004 affected our village. We just started to rebuild 38 houses in 2005 when the war began. No houses were built at all. After the war, there were no houses available in the village. 310 families were resettled. There are another 48 families who need to be resettled.'

The name of the village, Kadaikarachchenai, means close to the shore. This is a fishing community. Now they are not allowed to fish because of HSZ restrictions. People need to get permits from the authorities in order to go into the sea. The authorities say, this is a security issue. Stake net fishery is allowed only in six places, and another 15 places have been allocated for them to do some fishing activity. They also don't have any equipment for fishing Everything was lost during the displacement. They have also not been supported by many organizations. ZOA supplied 16 people with nets. Some animals were given to farmers. People are not happy with the role played by politicians. They ask if there is any politician who will help them. The people say politicians come only when they need their votes. All are selfish and have no concern about the people's issues.

'We are long term, traditional fishermen. We were affected by tsunami and also by war. The tsunami also affected us and the government did not do anything. But other organizations and agencies did lot to support us.'

When the war came, everything was pushed under the carpet for a long time. The Kadaikarachenai leader and we are fighting for fishing rights. The government is attacking us; they do not show any concern about our situation.



It is only at Kadaikarachenai that the Sampoor displaced have been able to get anywhere close to their original habitat. Other villagers cannot go back to their places. The people from Ilaikkandal were resettled at Veeramahanagar. There are 150 families living in a forest area. Some people who went to Veeramahanagar got houses in the same village. It took 3 years to build the houses. There are still half built houses in the village.

Mr. Arumugam, the chair person, Nagara ha Kadawathsathara citizen committee of Trincomalee district.

"We cannot talk to anyone about this situation. We do not have a strong united citizen's front to fight for the rights and the existing Citizens' Committee is not strong enough to fight this."

A Person preferred to be anonymous due to understandable reasons shared;

"I am a Catholic by religion. Our priest told us that we will not be able to return to our own village. We trust God is with us. As the Bible says, people will go back to their original places as Moses brought his people to their own land. We do need a Moses to lead us".

The local government authorities that people could normally appeal to in the case of injustices like these are also not able to help them. The Divisional Secretariat (Pradesheeya Sabha – PS), the Village Officer (Grama Sevaka – GS). The Navy commander has also stopped communicating with the Sampoor people.

'The District Secretary (Government Agent – GA – the leading government official in the District) told us not to talk about Sampoor with him. Then the people asked, "Tell us with whom we can talk, if not we can only talk to God". The GA invites us for meetings, but we have stopped going to them'.

'We don't see anybody behaving as human beings. Everyone tries to gain something, earn something from us. Nobody is willing to talk to us frankly or offer us any help.

What are the LLRC report recommendations on Sampoor People?

The Lessons Learned and reconciliations Commission (LLRC) heard submissions about the situation of the people of Sampoor during the hearings it held in Mutur.

In Paragraph 6.59 of its report, the LLRC mentions the fact that the High Security Zone had been reduced to 38 square kilometers and that 1,272 families were due to be displaced because of the Coal Power Plant and the Special Economic Zone. In Paragraph 6.98, the LLRC report mentions the need to formalize the demarcation of HSZs and provide alternative land or equivalent compensation to the displaced. In Paragraph 8.114, the report points out that 1,600 people are still living in the transit camp in Kiliveddy.

In its recommendations, in Paragraph 9.142, the LLRC recommends that the HSZ be subject to review with a view to releasing more land to the people while keeping national security needs in perspective. Once again, it calls for alternative land and/or monetary compensation to be given to those families displaced by the creation of the HSZ.

The LLRC recommends compliance with the UN Guiding Principles of Displacement and the UN Guiding Principles on Restitution of Land of the Displaced.

What are NAFSO/ Praja Abhilasha Experiences with Sampoor people?

NAFSO/ Praja Abhilasha (PA) has held a series of public meetings at the camps for Internally Displaced Persons (IDPs) in Pattithidal and Kiliveddy. Building adequate trust between the PA team and the IDPs living in the camps was, and continues to be, a challenge. However, through the continuous and consistent efforts of our team, we have had some success; for example, some people from the Sampoor IDP community agreed to attend the Land Conference which was to be held in Colombo on 6th September 2011.

During our preliminary visits to the communities, we experienced some initial reluctance from the people, who were hesitant to come forward and take joint action against the injustices they face. However, once they were convinced about our genuine commitment and highest respect for the victimized community of IDPs, they agreed to work with the Land Coalition of PA/ NAFSO.

The people have openly shared their reservations against politicians, especially Tamil politicians and specifically the leader of the TNA, for whom they had voted at the last general election. They also expressed utter frustration regarding the lack of political concern regarding their issues. They felt that the politicians would only come to them when they needed to collect votes for their benefit before elections, and would later forget all the issues and grievances of the people.

Unfortunately, the Sampoor people could not attend the 6th September meeting in Colombo as their vehicle met with an accident on the way; some of our colleagues suffered serious injuries as a result. Interestingly enough, September 6 was also the day on which the foundation stone for the Coal Power Plant at Sampoor was laid.

Minister Basil Rajapakse had mentioned in Parliament, in October 2011, that the people of Sampoor could go back to their homes of origin as the government will return their land to them. This has given rise to new hopes.

We need to work together to reach the goal of re-acquiring the land and helping the community of people re-settle on their land in Sampoor. Although the route to such a goal is not easy, our coordinating Team at Praja Abhilasha join hands in firm solidarity and strength for all of the landless people of Sampoor.

Organizations providing support to Sampoor people:

IGOS: UNHCR- (support for education through UNICEF funds), UNICEF, WFP

NGOS: OFFER- JHAH related organization;

GOVERNMENT: Provincial Council support for farmers; support from Ministry of Livestock for self employment; from Agriculture Department, paddy, ground nuts, maize, seeds, support for home gardens.

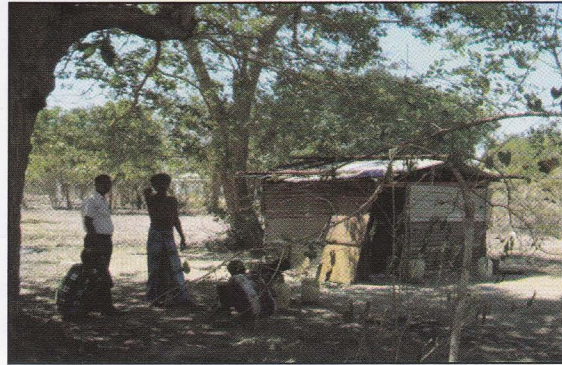
Other supportive groups for the IDPs in Trincomalee:

Civil Society organizations are present and providing some support to the IDPs. However, many prefer to remain anonymous due to fears of placing their work at risk

The Thiru Murugandi Resettlement Process

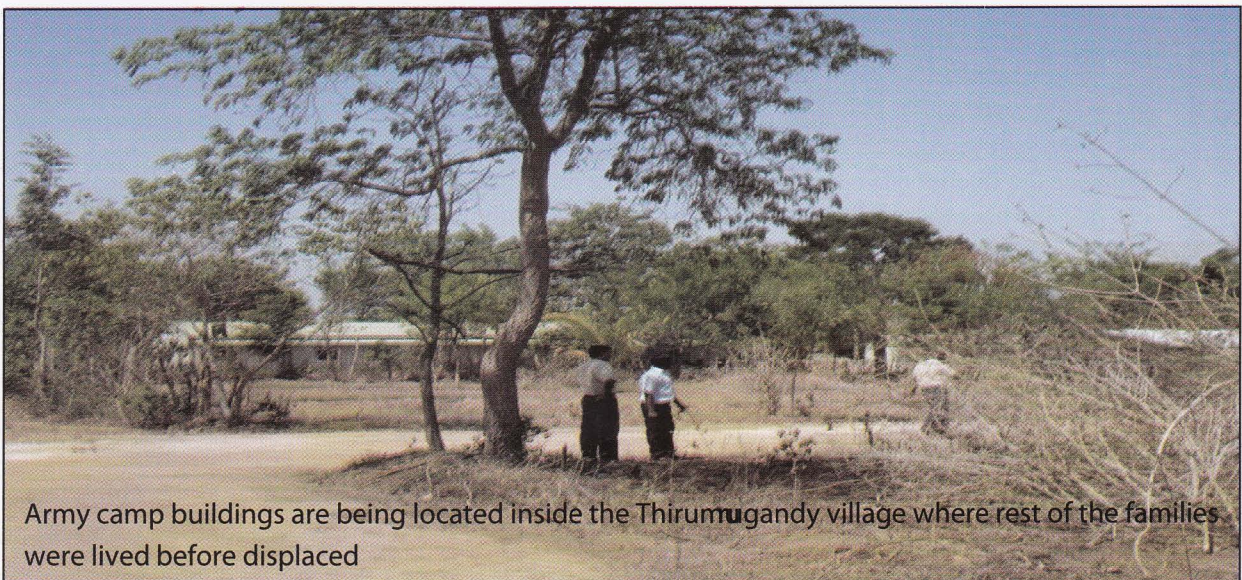
Date of Visit: 13th July 2012

Thiru Murugandi was a border village during the war. There were 463 families lived in this village and their main livelihood was agriculture. Each family had two acres land for their agriculture purposes. During the final Eelam war the people of Murugandi village moved backward with the LTTE in September 2008. The route they traveled up to today has documented below.



The displaced people from the Thiru Murugandi village, at MU 75 Grama Niladari division, at Oddusuddan Divisional Secretariat area of the Mullaithivu district, were resettled on 12 July 2012. The situation of newly resettled people, their livelihood issues, were observed during a recent Praja Abhilasha/NAFSO/RightsNow/PCHR field visit.

19 families have attempted to resettle in their original dwellings in the same village. However 5 of 19 families did not resettle in the original lands as they claimed the place where those houses are situated is now occupied by an army camp. These 5 families have therefore resettled in another temporary place saying they will be allowed to resettle permanently in their original dwellings within 3 months time period.



Army camp buildings are being located inside the Thirumugandy village where rest of the families were lived before displaced

Those families have been multiply displaced since 8th May 2009 and temporarily settled many times in different places. During the war they also had to migrated to several places on various occasions. The places they have sought refuge are;

- | | |
|------------------|-------------------|
| 01) Vattakachchi | 02) Vishwamadu |
| 03) Sugandipuram | 04) PuthuMathalan |
| 05) Pokkanei | 06) MullaiVaikal |
| 07) Vattuwal | 08) MenikFarm |

At the Vattuval village they were taken into the custody of army forces and handed over to Menik Farm welfare camp just after the war. At that time several NGOs attended to their needs providing food and clothes. When they were living in Menik Farm their children had the opportunity to began their education.

However at Thiru Murugandi village, there have been numerous difficulties in accessing education of the children. The 19 families of Thiru Murugandi village had been engaged in masonry, carpentry and many other professions for their livelihoods. Currently however they do not have any livelihood for their survival. This is due to the short time since they came back from Menik Farm and they have only just started to rebuild their lives.

As the land has not been occupied for long period it has returned to a jungle like state and is now covered with bushes and forest. The people shared with the field team that the military forces are helping the people to clear the jungle and to put up temporary shelters. UNHCR has supported with some equipments such as Mammoty, knives, hammers, lanterns, threads, mattresses, tents, water cans, mosquito nets and basins.

The resettled area is covered with dust and currently suffering a heat wave. The water supply is the main problem in the Thiru Murugandi community though the military supply drinking water bowser on a daily basis. Before the displacement these families had engaged in agriculture each having approximately a 1/2 acre of land. However they now see that the war has dramatically changed their lives and they clearly see that their current hardships are due to the war.

The NAFSO/Rights Now/ PCHR/Praja Abhilasha field team recommend that it is necessary to take appropriate action to assist the people to recover their lives and livelihoods;

- ❑ Enhance the livelihoods capacities of the people and improve their professional skills,
- ❑ Provide the necessary infrastructure facilities to the community,
- ❑ Ensure immediate assistance to protect the people from rain, dust and heat with help to build up their permanent shelters,
- ❑ Provide education facilities to the children and their families,

All these measures will help the people's lives return to some kind of normalcy.

However, the remaining 444 families of Thiru Murugandi village people do not have any hope yet. They are awaiting to come back to their village. The houses of those people are also inside the army camp. Many of those houses were not given because of this situation. Need proper attention and immediate action to resettle those families as earliest possible time. This is one way of focus attention of authorities to resettlement of the war displaced community.

Moor Street: Place of Concern on Muslim Returnees:

Date of visit 11.07.2012

1. Moor Street ,
2. Chavakachcheri,
3. Velanai,
4. Point Pedro,
5. Nagadeepa, [Nainathivu]



The first field observations were at the above stated villages in the Jaffna Divisional Secretariat area. A substantial minority of the population in these areas are Muslims. The majority population in this area is Tamil.

In 1990, when the Muslim were evicted from Jaffna, there were 5000 Muslim families living in the area amongst 12,000 Tamil households. However it is now reported that the number of families has increased to 8,000 and the total number of households to 20,000.

During the war Muslim people were forcibly evicted and migrated to Putlam District and many other areas. Up until now 2392 Muslim families have been registered in Jaffna. During their displacement these families were moved from place to place such as Putlam, Anuradhapura, Colombo and Negombo areas. However their original settlements are situated in Jaffna. A number of families have permanently settled in Putlam but generally the People complain that there seems to be no standard policy to resettle people after the war.

According to the information received from Jaffna Civil Society for Equality [JCSE](1), the World Bank has given Rs. 375,000 for each of the 300 families due for resettlement in 2009.

Moor Street, Jaffna Divisional Secretariat area.

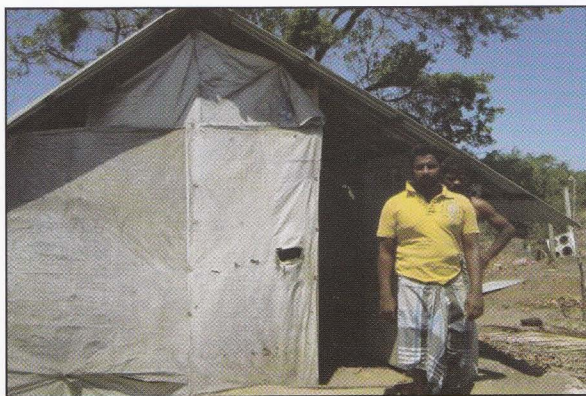
In 1990, when Muslim families were forcefully evicted, the number of families in the Moor street was around 500. However there are around 650 families living in the area today. It is important to report that although 100 families have been resettled in their own land none of them have a permanent house. There are altogether 3311 households living in Moor street and most of them are living in a land which belongs to the Mosque.

The people in the New Moor Street:

23 out of 650 Muslim families are living in the camp at Moor Street. These people returned to this land on 14 December 2009, getting the relevant passes from the authorities. They did not get any land though but settled in land belonging to the mosque. The total land covered is 100 perches. At the beginning 23 families were returned to the land but due to the difficulties of resettling without adequate support 11 families left the place and only 12 families are living in the 1st Street of New Moor Street today.

The situation of the First Street Camp:

The land where the First Street Camp is situated is dusty and is currently experiencing very high heat levels. Hence it is a difficult place to live. People are living in temporary shelters made and covered with tin sheets, cadjan, and tent cloth. The residents do not feel secure and the land is situated close to the Muslims cemetery. People also complained that the land is inundated during the rainy season. The gap between the houses is also limited and no water facilities are provided for the people. Only two lavatories are provided in one lane.



During the time of displacement these people survived with various types of livelihoods. However now the resettle people do not engage in any regular permanent employment. Instead now many of the people are surviving from a host of different types of temporary work. Some earn something for their living by providing meals to the university students. Many of the resettled families earn some daily wages through general labouring activities. At the same time, some people are living by selling cows and goats for meat. Collecting and selling iron and metals is another source of income for those families. As a whole there is little or no assistance provided to support livelihoods regeneration after their resettlement. Some minor assistance has been provided by richer Muslim businessmen in the recent past. These are the meager ways the families of this area survive.

There is no big issue regarding education and religious activities as the mosque is situated in a nearby area and there are teachers as well as schools in the area. The big issue is the economic difficulties families face in sending their children to school. The security of the children and women does seem to be ensured. No cases of child abuse or rape have been reported so far in this area, which is a very positive when compared with many other places in the country.

The relationship between the camp and military forces:

During the 1990-95 period, the mosque and its properties were controlled by LTTE. In 1995 the mosque was captured by the Government of Sri Lanka (GOSL) military forces. During the period of 1995-2003 the land came under the GOSL military control and the Moor street mosque was finally released from GOSL control in 2011. There was no conflict reported between GOSL military forces and the Muslims of this area and nothing reported recently.

The serious for the people of this area is housing. This is mainly due to the number of families. The population of the area has increased considerably during this period. The number of families even increased during the displacement period. The new families expect new land for housing and resettlement and this is where a key problem lies.

The people living in Muslim areas, Moor street and other areas in Jaffna, are gravely concerned at the indifference shown for them them by the administrative officials. A key complaint is that the majority Muslim areas do not receive equal treatments to others. Civil society activists have condemned this situation and demanded just and equal acceptance of all the displaced and resettled people as citizens of Sri Lanka.

When we report some of the grievances of the Muslim community there are as follows;

"There are lot of people coming from NGOs and external groups, collect information of the displaced and recent resettled people. Some of them have received boats, engines, nets, bicycles and even tractors. But, there is nothing received by Muslims. "

"There is a big problem of Jaffna divisional secretary. He is Mr. Devindram Subabharathi. We do not have any problem from the government or the military forces. Our only problem is the divisional secretary."

"We need permit to transport a cow from one section to another section of Jaffna. We cannot transport a goat. We want this divisional secretary to transfer from here. But it is not happening. May be he has political backing. "

"It is only the minister Rishak Badurdeen gave us something for our living. Even, the other minister in Jaffna, Douglas Devananda do not help us. We know the government services are weak. However, we cannot do anything going against the government."

"There are lot of Tamils who conduct research and survey work on IDP resettlers. There is no point to write or speak to the government."

Communication between the Camps and the outer society:

Between the people in the camps and their distant community members now living in Negombo and Puttlam relationships are maintained and close communication is regular. However the team observed that there are some misunderstandings between religious groups. Some civil society activists claimed that Christian priests are hurriedly buying the lands which formerly belonged to Muslims. Once bought the lands are resettled with Christians families.

Overall Demands of the People:

The main demand expressed by the people is that their their original land be returned to them immediately resettlement is implement. Additionally they feel that as their Muslim communities have been living for a long period in Jaffna, their residency should be recognized by respecting their rights. A standard set of principles on resettlements should be applied to them as to other needy

groups. With this in place many felt that their basic requirements could be met. Through the reconciliation process programs to build harmony and coexistence between Tamil and Muslim communities, living in Jaffna, should be set in place and this would be immeasurably aided by provision of essential infrastructure facilities. As one key step in the right direction the people demand some Muslim officials to be appointed to the administrative area. Government should provide state land for those who are landless. As the Muslim religious season call "NOMBI" (Ramadan) begins soon, they also expect some assistance to celebrate this too.

Some other areas of Muslim People resettled after War:

Chavakacheri : There are 85 muslim families registered as returnees though this number is very low compared to early population levels. During the war these Muslim people have sold their lands and the returnees are now living in a temporary shelters adjacent to the newly railway track under construction. This will also lead to another issue as most, if not all, these returnees will be displaced again due to railway track construction. According to the JCSE representative, the people are living in a tense situation fearing further displacement; a new threat to their lives.

Velanai : A small number of displaced people have returned to this area. Most of the displaced Muslims had also sold their lands during the war. People are living in a small piece of land belonging to the Mosque and this is also a temporary arrangement. People do not have any ownership of the land and presently they are living temporarily in old buildings. The main source of income is fishing and the rearing cows for the community.

Nagadeepa : It is reported that 1/3 of the originally registered number of people have been resettled their own lands again. But they do not have any house so far. As the JCSE claim, the majority among the displaced community has not been returned to the village so far.

No	Names of Areas	Registered families	Arrived families
01	Moor Street	2150	650
02	Savakatchery	85	10
03	Velanai	45	15
04	Nagadeepa	112	35

Case Study : F. Janzia and A. M. Fasmil - A Family at 1st Street of Moor Street Muslim

The F.Janzia and A.M. Fasmil's family is living in 1st Street of Moor street in Jaffna with their two children. They live with much hardships and difficulties since their return to Jaffna. Before their displacement the father of the family, Fasmil was a technician and earned a decent living wiring houses. He lost his job due to the displacement. Fasmil then began collecting abandoned iron and

selling it, visiting from house to house. Janzia is the mother of the family and works looking after the home taking care of children in their temporary shelter, a tent. The oldest child is 5 years old and the youngest is 9 months old.

Fatima Hasara is the 9 month old baby and was cured recently of a kidney complaint. Janzia says that the doctors have directed the family to leave the place immediately as the dirty environment caused her daughter to become ill. Doctors recommended the family leave the place after a home visit to assess the family's living conditions during which they warned of contamination.

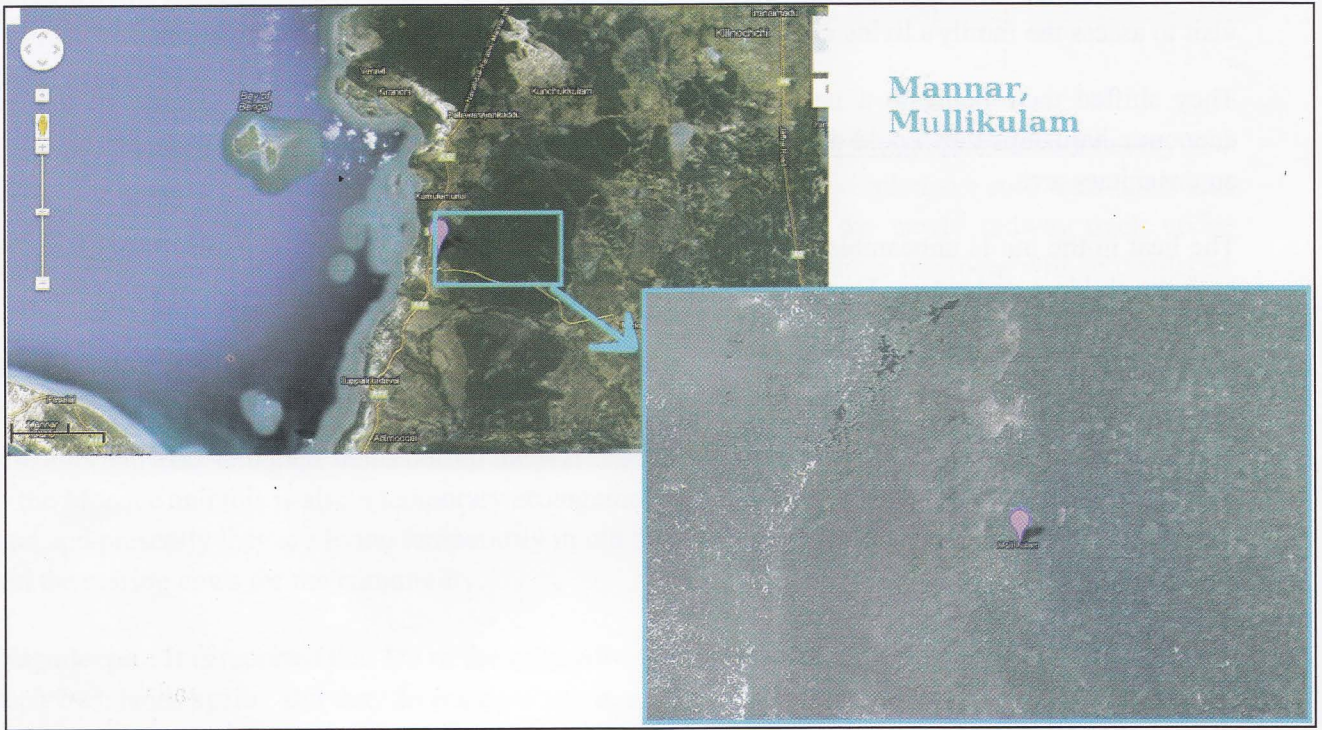
They shifted their home to a new place and rented a house for short period. However, due to economic hardships they could not continue there and have returned to their place of origin which is an unsanitary area.

The heat in the hut is unbearable and the overall dirty environment causes to serious difficulties for both the children and elders. This situation is the norm for most of the huts in the Moor street camp.

Our team strongly recommends that serious attention should be given by all concerned with assisting these returnees to live in a decent living conditions. They are all citizens of the country and their right to receive basic facilities, enjoyed by others in the society, should be respected.

A Story of Displaced people in Sri Lanka

Settlement jargon about the people of Mullikkulam Whither Reconciliation and Peace in Sri Lanka

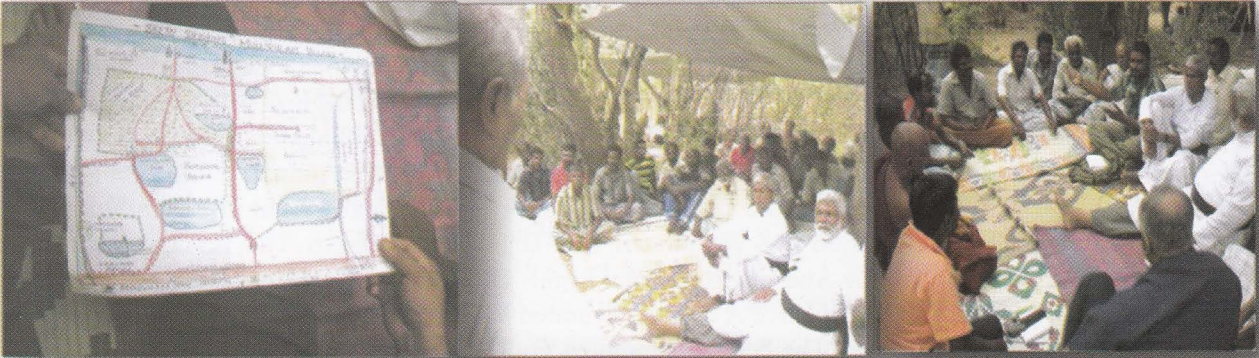


A team of concerned citizens recently visited the people of Mullikkulam, who were displaced by the war, and who are now living at Marichchikattu village in Musali. We could not believe our eyes. Were we visiting a re-settlement village for the Mullikulm people or was this a place where pilgrims were living under trees during a pilgrimage to a place of worship? Could this be a true picture of the situation of our fellow citizens who, according to what we are told, are being resettled in many parts of the country that were affected by the war? We heard that one FM radio station had broadcast the news that the Mullikkulam people have been resettled with government support. But is what we saw in Marichchikattu the true story about the resettlement of war affected people of our country? It is important to see the realities of the resettlement schemes of the country, since various diplomats and foreign delegates visit these so-called resettled communities.

Who are the Mulliklam People ?

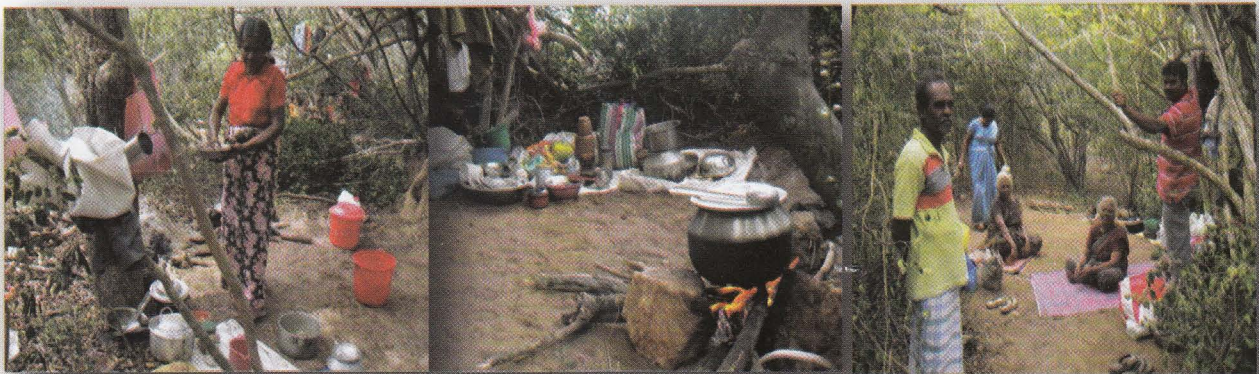
Mullikkulam Village Is Located In The Musali Divisional Secretariat Area, In Mannar District In The Northern Province Of Sri Lanka. The First Settlers Of Mullikkulam Village Can Be Traced Back To 1800 A.D. They Are 100% Tamil By Ethnicity And Of The Catholic Faith. Agriculture And Fishing Are Their Primary Means Of Livelihood. People Have Permanent Title Deeds For Agricultural Lands, Mainly Paddy Fields. The Village Consists Of Up To 1200 Acres Of Land. These Fields Are Rain Fed Through 5 Tanks

and Water Provided With Major Irrigation Schemes. There Is One Tank In The Village. Fishing Was The Other Major Occupation For Most Of The Villagers. The Brutal War That Lasted For Three Decades Caused Serious Damage To Social, Economic, Cultural, Environmental And Political Rights Of The Mullikulam Community.



The Displacement Of The Mullikulam People Happened For The First Time In 1990. They Were Displaced Till 2002, When The Mou (The Peace Agreement) Was Signed Between The Government Of Sri Lanka And The Liberation Tigers Of Tamil Eelam (Ltte). They Returned To Mullikulam, But Were Able To Live There For A Period Of Only Five Years. They Were Displaced Again In When The Final War Began, The Government's Military Approached The 2007. People And Asked Them To Vacate Their Homes Immediately, Without Taking Anything With Them. The Promise Was Given To Them That They Could Return Home Within Three Days. This Was The Justification For Asking Them Not To Remove Any Of Their Belongings. On The 7th September 2007, They Vacated Their Houses With Empty Hands. Since Then, For Nearly Five Years,

They Have Lived In Many Places Around Mannar. There Were More Than 400 Families Living In Mullikulam When They Were Evicted. Most Of Them Moved To Thalvupadu, Valkeipetrakandal, Thalaimannar, Nanattam, Madukkarai; Some Also Lived In Mannar Town . They Attempted To Get Back To Their Own Houses With The Support Of The Bishop Of Mannar, The Parish Priest Of Silavaturai And Other Priests Of The Diocese, Talking To Many Other Officials Including The District Secretary, The Divisional Secretary And The Navy Area Commanders Etc. Finally, The Bishop Of Mannar Together With Other Bishops Approached The President, Expecting To Find A Solution. However, According To The Villagers Whom The Nafso Team Met At Mullikulam, There Was No Positive Response Except That The Secretary To The Defense Ministry Agreed To Visit The Place And Find A Solution. That Was In February 2012. Until Today There Is No Substantial Response Received By The Community To Their Grievances.



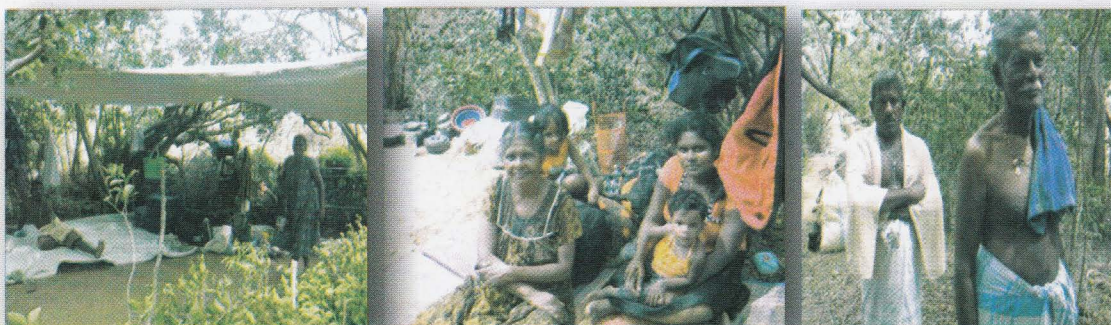
Why there is no resettlement for Mullikulam People?

In Mullikulam Area, There Is A Proposal To Establish A Naval Base Which Needs 1000 Hectares. This Was Reported In The Sinhala Weekly, Ravaya. The Response Of The People To This Is Very Reasonable. "Let The Military Use Our Land Even Though We Have Our Title Deeds To Those Lands. After Using The Required Area, They Can Allow Us To Live In The Rest Of Our Village. As Much As We Can, We Will Live In The Remaining Homes", Says A Community Leader Who Preferred Not To Be Named. The Reason Behind Why The Authorities Do Not Allow People To Get Back To Their Original Village Is Not Known And Has Not Been Revealed Last Year, In September, The People Of Mullikulam Hoped To Be Able To Celebrate Their Church Feast, With The Permission Of The Authorities. This Annual Celebration Is A Key Event In The Lives Of The People. At The Beginning They Were Told That It Would Be Permitted; Later On, They Were Told This Permission Was Withdrawn, Due To Security Reasons. This Is A Clear Violation Of The Social, Cultural, Economic And Environmental Rights Of The People. At The End, The Only Time They Have Got The Opportunity To Have A Mass Celebrated Was During The Recent Ordination Of The Village Priest. In What Ways Have The People Attempted To Regain Their Own Land?

Mullikulam People Have Attempted To Regain Their Land And Homes In Many Ways. None Of These Have Been Successful. They Approached All Possible Politicians Including The President; They Also Approached All Possible Government Officials Including The Government Agent (Ga, Also Known As The District Secretary) Of Mannar, The Divisional Secretary Of Musoli, Navy Commanders In The District, The Secretary Of Defense Ministry, Unhcr, And Church Leaders. They Organized A Peaceful March In Mannar Town, And Attended Many Meetings In The South To Express Their Grievances And Seek The Solidarity And Support Of Concerned Southern Partners. However, There Was No Single Response Received From The Authorities, Giving Them The Signal That They Could Resettle In Their Own Village. How Long Must They Continue With This Pathetic Life? They Have Approached The Bishop Of Mannar And, Through Him, The Ga Of Mannar And Other Higher Officials To Find A Solution. The Response They Have Received From The Authorities Has Been: "Mullikulam People Cannot Return To Their Original Places."

But No Substantial Reason Has Been Given To Them For This Decision. In The Meantime, They Have Been Permitted To Resettle In Neighboring Villages. In A Meeting, The Additional Ga Of Mannar Said: "Mullikkulam People Can Go And Resettle Near Mullikkulam."

After So Many Attempts, And Such A Long Period Of Displacement, People Are Tired Of All The Burdens. They Made Up Their Minds To Face The Situation, And Decided To Go Back To The Villages Closest To Mullikulam Which Are Manangkadu And Periyakulam. However, So Far They Have Not Been Allowed To Re-settle Even There, In The Way That They Had Expected. Rather, They Have Been Forced To Live Under The Trees Of The Thick Forest In Marichchikattu, Facing Daily Threats And Danger From Wild Elephants And Other Wildlife.



The final solution: People agreed to settle in neighboring village of Manangkadu

"There Was No Choice For Us Other Than To Come To This Place. We Can't Be A Burden To The Families Who Were Helping Us For More Than Five Years. So We Decided To Settle At This Place Last Friday, 15th June 2012. We Need To Build Our Lives Again, After Thirty Years. So We Decided To Come To Marichchikattu At This Point, With The Aim Of Settling At Manangkadu Village Which Is A Neighboring Village Of Mullikulam," Said Another Community Leader Who Also Preferred To Remain Un-named Due To Understandable Reasons.

On Our Visit, We Found 80 Families With 125 Individuals 'Settled' Under Trees

Without A Tent Or Tarpaulin Which Is Usually Provided By The Unhcr For Such Displaced Communities In The Past. By Now There Are 214 Families With 752 Individuals Who Have Come To The Marichchikattu Jungle And Are Living Here Without Any Facilities.

"Mosquitoes Are Everywhere. There Are Also Wild Elephants. We Can't Sleep

At Night. We Do Not Have Any Peace In Our Lives, Even Though We Came Here In Order To Safeguard The Future Of Our Children. We Were Given To Understand That Unless We Came Here, Even With These Difficulties, We May Not Get Anywhere Else To Settle After This. We Were In Fear Of Losing Everything" Says Winifreeda Croos, A Fisherwoman Who Belongs To The First Batch Of Settlers.

How Do They Survive Without Having Any Protection Is One Of The Issues To Address. The Navy Is Helping Them; However, They Need Protection From Wild Animals, And From Mosquitoes Which Carry Diseases Such As Malaria And Dengue.

"We Are Really Unfortunate People. The Unhcr Expected A Signature From The Musali Divisional Secretary In Order To Provide Assistance. But, He Refused To Sign The Letter Saying We Had Bypassed Him And Gone To Higher Authorities And Other People. What Can We Do? We Approach Anyone Who Can Help Us. Our Own Ds Is Treating Us Like This," A Community Member Stated.

People Are Living Under The Trees Without Even A Tent To Cover Their Heads. How Long Will The Citizens Of Sri Lanka, The Authorities, And Politicians Forget Them And Turn A Blind Eye To The Sufferings Of This Community? This Is The Million Rupee Question In Front All Of Us.

What is the Southern religious leaders' response to the situation?

"I Was Shocked To See This Situation. I Must Have Sinned, For Me To See All These Sufferings Of The People Here In Mullikulam. What Is The Crime These People Committed, That They Have To Live Under The Trees Like Animals? All These People Are Brothers And Sisters Of Our Society. We All Have Serious Responsibility To Look At The Situation Critically And To Help Them. We Should Be Ashamed To See These People Living Like This. They Should Get Back Their Village...What Will Happen In The Future, When They Live Here, And See Their Properties (Houses, Paddy Lands And Also The Sea) In The Hands Of The Navy?" Ven Buddhuyagama Chandrarathana Thero, A Buddhist Monk Who Was A Member Of The Field Visit Team Shared His Utter Frustration With Us.

There Is Another Serious Question Remaining Among Us At This Point. People Have Been Given Land In An Area Where The Land Belongs To The Forestry Department. Also, Members Of The Community Told Us That The Land That They Have Claimed For Their Settlements Are A Part Of The Buffer Zone Created By The Forestry Department. Thus, There Should Be Some Written Guarantee And Official Clearance By The Forestry Department That Will Allow These People To Settle On This Land And Build Their Homes And Engage In Livelihoods There Without Fear Of Another Displacement.

The Navy, Which Controls The Area, Allowed The People To Go To Mullikkulam Church And To Engage In Fishing Activities In The Sea. But If People Do Not Have What They Need In Order To Go To Sea, They Need To Start From Point Zero In Terms Of Livelihoods. When They Were Evicted From The Village, They Were Asked Not To Carry Anything And To Vacate The Village Within 24 Hours. All Their Fishing Gear And Equipment Was Left Behind Along With Their Other Belongings. So, Today, Even Once They Have The Opportunity To Go Back To Sea, There Is Nothing Left With Them To Actually Enable That To Happen.

"Fishing Is Our Main Occupation And We Want To Go Back To The Sea For Fishing. But, We Need Basic Equipment To Re-start Our Livelihoods. We Do Not Have Even A Net Or A Catamaran To Go To The Sea. So, We Expect Some Assistance To Revive Our Livelihoods," Says Mr. Francis Joseph, A Leader Among The Fishermen In The Mullikulam Community. Also The Frustrated Voices Of The Youth In The Community Sends An Important Message To The Whole Society. When The Cultivable Land Is Already There In The Village Of Mullikulam, With An Extent Of 1200 Acres Of Paddy Land, Why Are We Forced To Go Behind Various People Like Beggars? What Is The Justice We Can Expect From This Society?

" They Have Captured Our Paddy Fields, Our Fishing Equipment, Our Coast And Our Anchorage Points. We Do Not Have Any Income. We Are Jobless And Surviving In Hunger. Those Are Our Properties. What Is The Reason For Not Allowing Us To Carry On With Our Own Occupation? What Is The Crime We Committed?"

A Youth Spoke With Us With Anger And Hate. We Cannot Imagine Where This Anger Will Be Anchored Ultimately. This Is How The Normal People Feel About Their Own Situation.

During This Resettlement Process, The Thottaveli Parish Priest Rev. Nehru, Silavaththurai Parish Priest Rev. Rasanayagam, And Nasfo District Coordinator Sunesh Croos Were With The Community All The Time. They Have Helped The People From The Time They Arrived To The Place Until Now. However, These People Are Living Without Any Basic Facilities. The Navy Erected Two Toilets And Has Provided One Water Tank Which Is Filled With Drinking Water On A Daily Basis. But The People's Request Is For Help To Re

Build Their Livelihoods. They Need Fishing Boats, Nets, Engines, Lamps, Water Cans, Mosquito Nets, Dry Rations, Kerosene And Other Basic Materials For Living And Working.

"We Cannot Imagine Why These People Cannot Be Allowed To Go Back To Their Own Village, Where Houses And All The Basic Facilities Are Already There. It Is Unbearable Discrimination, Without Any Reason, That They Are Not Allowed To Return To Their Original Places. The Government Should Think Twice Before They Implement This Type Of Decision, For People Who Were So Badly Affected By A Brutal War. They Should Also Be Gaining The Dividends Of Peace In The Country, As Is Being Proclaimed Daily By The Politicians," Stated Rev. Fr. Sarath Iddamalagoda, A Human Rights Activist And Member Of The Team.

What do the recommendations of the Lessons Learned and Reconciliation Commission (LLRC) recommendations say?

Tamil and Muslim families who lost land due to HSZs

6.13. In the Mannar district's Mullikulam village, (Musali DS Area) 150 families have been displaced due to a newly created Navy installation. The Bishop of Mannar informed the Commission that occupation of land by the military should be an act of last resort, and in each such case of land loss, alternative lands should be given in consultation with the affected families. With the establishment of peace, most people yearn to return to their land.

The Case Of Displacement Of People From The Village Of Mullikulam Was Referred To Several Times During The Llrc Hearings, In Particular Due To The Inclusion Of This Issue In The Submission Made By The Bishop Of Mannar. In The Llrc Report, It Is Clearly Stated That The Commission Received Information From The Defense Ministry Regarding The Creation Of A Naval Base In The Mullikulam Area, As The Following Excerpts From Chapter 6 Of The Final Llrc Report, Focusing On 'Land Issues: Return And Resettlement' Show:

6.39 According To The Government Agent, Mannar, In The Musali Divisional Secretary Area In Mannar District, 1,320 Persons Belonging To 307 Families,39 Including 166 Families From Mullikulam Village Have Been Displaced Due To The Establishment Of A Naval Installation. On A Request Made By The Bishop Of Mannar, New Land Has Been Identified In Kayakuli Village In The Same Division For Resettlement Of Displaced Families In Mullikulam. The Conservator Of Forests And The Government Agent Mannar Are Coordinating Administrative Action For Formal Release Of Land Identified For This Purpose. In The Musali Ds Area, The Remaining 141 Displaced Families Have Yet To Be Allocated Land.

6.63 The Commission Has Also Been Informed That In Mannar, The Sri Lanka Navy Is Occupying Some Land Area In The Musali Divisional Secretary Area For The Purpose Of Establishing A Navy Installation.66 The Ga, Mannar, Informed The Commission That 307 Families Including 166 In The Mullikulam Village In The Musali Ds Division Have Lost Land Due To The Establishment Of The Military (Naval) Establishment. Families In Mullikulam Have Agreed To Accept Alternate Land In Kayakuli Village In The Same Ds Division. The Government Agent, Mannar, Is Coordinating With The Conservator Of Forests To Release This Land For Resettlement. However, No Arrangements Have Still Been Made To Allocate Land To The Balance 141 Families In The Musali Division.

The Llrc Report Also Endorses The Decision To Ask The Mullikulam Villagers To Resettle In Other Villages Close To Their Original Village. It Quotes From Sarah Pantuliano (Unchartered Territory, Land Conflict And Humanitarian Action Overseas Development Institute, November 2009): For Refugees To Return Home..... This Is A Complex Issue And Every

Situation Is Different, Conflict Is A Highly Transformative Process And Pre- War Status Quo Can Never Be Established Completely Even If That Were Desirable" Article 6.103 Of The Llrc Report Endorses This, Saying 'The Above

Reasoning Applies With Equal Force To The Post Conflict Situation In Sri Lanka And The Commission's Recommendations Take Into Account This Reality.

One Of The Recommendations Of The Llrc, In The Conclusions And Recommendations Section Of Chapter 6 Of The Llrc Report, Calls For Alternate Housing To Be Found And Compensation To Be Paid To Villagers Unable To Return To Their Places Of Origin Due To Security Reasons:

6.65 It Is Imperative That All Families Who Have Lost Land And Or Houses Placed Within Officially-declared Hszs, Or Even Within Small Plots Of Land Locally Identified And Used For Security Purposes Be Found Alternate Lands As A Matter Of Utmost Urgency And That Any Compensation Due To Them Is Also Paid Promptly. Timely Action In This Regard Will Have A Salutary Impact On The Reconciliation Process. another Recommendation Calls For Extended Livelihood Assistance To Resettled Communities:

6.10 4: (4) The Commission, Recommends That The Government With The Assistance Of The Development Partners Extend Livelihood Assistance To 'New ldp' Families As Needed, On An Area By Area Basis For A Longer Period Of Time Than Planned, To Ensure Family Sustenance. The Commission Is Pleased To Note That In Some Areas Of The Northern Province, The Livelihood Support Initiative Has Been Extended From The Original Period Of 6 Months To 9 Months. The Commission Recommends Further Extension Of Livelihood Assistance Including Schemes For Providing Micro-credit

The People Of Mullikulam Are Also Citizens Of Sri Lanka And They Should Have A Space To Live In Peace And Harmony In The Country. This Is Essential If We Are To Make The Talk Of Reconciliation In The Country A Reality. There Are A Number Of Recommendations In The Llrc Report That Can Go A Long Way Towards Rebuilding Their Lives And Livelihoods, And Making Their Position As Sri Lankan Citizens Secure.

The Secretary To The President And Leading Political Figures In The Government Regularly Mention The Implementation Of The Llrc Recommendations As A Priority. We Are Waiting To See A Better Future For All Sri Lankan Citizens Through The Development Of Understanding And Close Cooperation Among The Communities. Will The Actions Of The Authorities Allow This To Happen? The Case Of The Mullikulam People Is Only One Example Of The Difficulties Being Faced By Citizens Of Our Country. In What Way Can Broader Sri Lankan Society Help These Affected Communities?

Conclusion:

We expect the GOSL and UN Agencies engage in the resettlement schemes would consider all possible means to resettle all the internally displaced people with internationally recognized standards. UN guiding principles should be the base and we expect SL authorities to follow them.

Point of departure: Guiding Principle 28

"Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall Endeavour to facilitate the reintegration of returned or resettled internally displaced persons."

"Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration."

In 24 May 2009, Asian Tribune reported that Government working on a plan to resettle IDPs within 180 days – Sri Lanka President.

"President Mahinda Rajapaksa receiving UN Secretary General Bank Ki-moon assured UN Secretary General that the internally displaced persons will be settled within the shortest possible time."

As the Hindu reported, on Friday, 11 December 2009 **All displaced Tamils will be resettled by January-end: Sri Lanka**

Pledged special government delegation to India in December 2009.

, **The three-member delegation consisted of Senior Adviser to the President, Basil Rajapaksa; Secretary to the President, Lalith Weeratunga, and Defence Secretary Gotabhaya Rajapaksa. The troika is seen as an informal group set up by Sri Lankan President Mahinda Rajapaksa to interact on crucial issues with interlocutors from other countries and has travelled several times to New Delhi.**

All these pledges are to the most senior dignitaries to the world and we expected GOSL keep their word as promised. However, this is not a surprise to us as so far this has not been fulfilled fully.

Because, we can see various places in many districts in the north and the east like Mullikulam, Sampur, Thiru Murugandi people are still living in displaced and need immediate attention and assistance for resettlement. At the same time some of the people are living in temporary shelters

as their land has been under high security zone at Palali. As we mentioned in this report, people who are living in Velanai, Uduppitty, expect to return their homes as earliest with the lifting of the HSZ by the authorities.

This is very important issue as there are thousands of people still living in temporary shelters, around 22 years since 1990. We expect situation of those people be considered and take measures immediately.

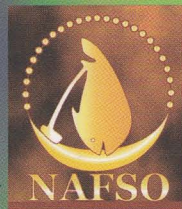
At the same time the Muslim IDPs who were evicted from Jaffna, Mulaitivu and Mannar are still in their camps in Puttlam and many other places around the country. We have reported here the situation of returnees at Moor Street at Jaffna and there are thousands of others also still awaiting the assistance and backing of the GOSL to return their places of origin.

In his visit to Sri Lanka in May 2009, UN Secretary General Bank Ki-moon pointed out that Government has to concentrate on three critical areas on IDP issue.

1. Immediate humanitarian relief,
2. Reintegration and reconstruction,
3. Sustainable and equitable political solution in Sri Lanka.

We as CSOs also urge GOSL to fulfill the pledges to the world and also stick to the report the GOSL released on Lessons Learned and Reconciliation Commission [LLRC].

We expect GOSL will do the justice to all the IDPs with providing basic facilities to the people and assistance to their livelihoods with and protection for their safety.



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