

Tamils Rehabilitation Organisation (TRO)

**'RECONSTRUCTION AND REHABILITATION TOWARDS
PEACE-BUILDING - CHALLENGES, OPPORTUNITIES
AND ENGAGEMENT OF DIASPORA'**



A Report of the Conference held by TRO on the 18th & 19th June 2004 at JAIC Hilton, Colombo, Sri Lanka (facilitated by the Berghof Foundation for Conflict Studies).

ACRONYMS

A list of acronyms used in the report:

AA	Alumni Associations
ADB	Asian Development Board
CBO	Community Based Organisations
CSO	Civil Society Organisations
DiFID	Department of International Development, United Kingdom
GoSL	Government of Sri Lanka
HVA	Home Village Associations
INGO	International Non-governmental Organisation
ITROs	International Tamils Rehabilitation Organisations
LTTE	Liberation Tigers of Tamil Eelam
NGO	Non-governmental Organisation
RRR	Ministry for Relief, Rehabilitation & Reconstruction, Government of Sri Lanka
TDND	Transnational and Diaspora Network for Development
TRO	Tamils Rehabilitation Organisation
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund.
WB	World Bank

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*Our sincere thanks to the Berghof Foundation
for Conflict Studies for readily accepting our
invitation to facilitate this conference.*

Thank you Berghof for a job well done.

- Ms. Luxshi Vimalarajah & Dr. Norbert Ropers for your professional and considered approach; and
- All other Berghof Foundation staff for your input.

We also thank:

- The distinguished panellists:
 - Mr Harim Peiris (Director General, Rehabilitation Ministry)
 - Mr Peter Harrold (Country Director, World Bank)
 - Mr Miguel Bermeo (UN Resident Co-ordinator, Sri Lanka)
 - Mr Ted Chaiban (Representative - Sri Lanka & Maldives, UNICEF)
 - Mr Brian Smith (Post Conflict Specialist, ADB)
 - Ms Anthea Mulakala (Reconstruction and Development Advisor, DiFID)
 - Mr. Martin Stuerzinger (Advisor for Peace-building, Swiss Embassy)
- Mr Buri Mohamed Hamza (Former Minister of State For Foreign Affairs for the Transitional National Government of Somalia) for sharing your very valuable and relevant experience, and Dr R. Cheran (Dept. of Sociology and Centre for Refugee Studies, Toronto) for making available an analytical perspective of Tamil Diaspora issues and post-conflict development.
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*Directors, Senior Management, Diaspora Office Bearers and
other Diaspora members of TRO would like to thank all the
participants for their contributions.*

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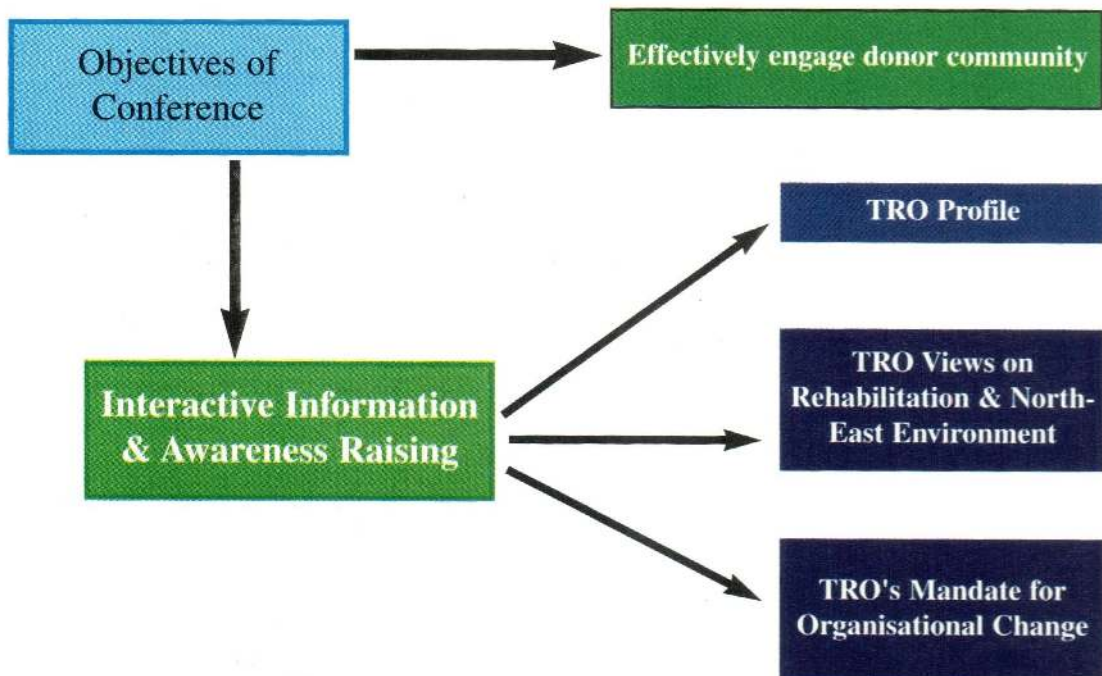
PREFACE

The Board of Directors of Tamils Rehabilitation Organisation (TRO), its Senior Executives, Consultants and Tamil Diaspora realise that the time has arrived to be proactive and start contributing towards rehabilitation, reconstruction and peace building in an organised and professional manner.

TRO is ideally placed to contribute in a significant way towards addressing some of the major challenges facing the North-East of Sri Lanka. TRO has branch offices in all eight districts of the North-East engaged in numerous humanitarian, rehabilitation and reconstruction projects. TRO is a programme partner with many multilateral agencies, UN agencies, International Non-Governmental Organisations (INGOs) and the Government of Sri Lanka (GoSL). TRO through its district branch offices and 14 overseas offices has the capacity to access several hundreds of thousands of Tamils to work towards comprehensive and holistic rehabilitation, reconstruction and peace building solutions in a planned and co-ordinated manner.

One feels that TRO must engage all stakeholders, address their concerns and receive their inputs in order to carry out its efforts in a cohesive and professional manner. TRO believes that the environment in Sri Lanka and particularly in the North-East has changed since the cease fire agreement. In this period, the scale of its operations has also increased significantly, so much so, that a re-evaluation and revision of TRO's strategies, policies and processes must take place.

TRO has decided to address its institutional needs and the management of organisational change in a systematic manner. It is self-evident that the challenges ahead are complex and require an "inclusive policy" that enlists the support and contribution of many people who either have existing knowledge and prior experience of "post war reconstruction" or have access to this professional expertise. TRO has commenced its journey of collaboration and organisational change with its conference titled "Reconstruction and Rehabilitation towards peace-building - Challenges, Opportunities and Engagement of Diaspora".



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Broadly, the objectives of this conference were to:-

- Engage the donor community and solicit comments and concerns;
- Inform the donor community of TRO's profile, concerns and thoughts;
- Outline TRO's view of the North-East environment in relation to rehabilitation, reconstruction and peace; and
- Announce the beginning of TRO's journey to collaborate and carry out organisational change.

The conference was held on 18 & 19 June 2004 and this document reports the proceedings and outcomes of the conference. The conference took place at a crucial juncture in the political and social history of Sri Lanka.

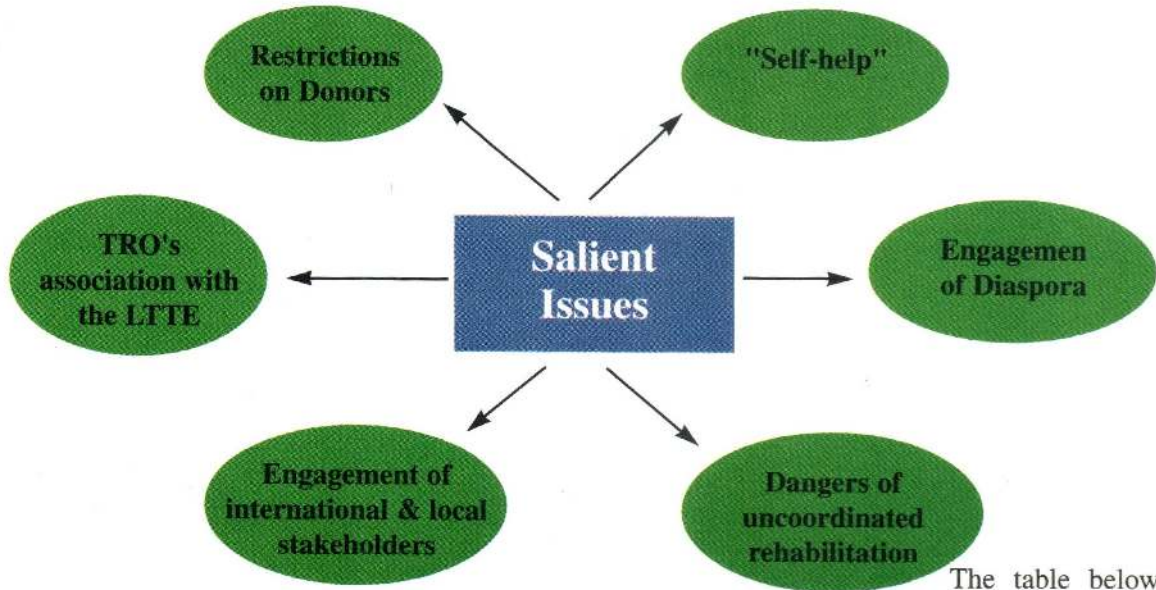
For the first time in TRO's history various sections of the donor community (UNDP, WB, UNICEF, ADB, representatives from DiFID-UK, Australia, Canada, Japan and Scandinavian countries), representatives of GOSL, TRO and its members from the Tamil Diaspora came together to discuss the implication of TRO's work in a post-war environment and to brainstorm a road map for TRO.



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SALIENT ISSUES



The table below lists the key points/issues addressed at the conference.

Issues	Comments
1) Donors can only deal with a sovereign State	Input from non-state actors would be received
2) Donors will only release funds based on progress of the peace process	Applies to the Tokyo donor commitments A mechanism to measure progress is required
3) Dangers of uncoordinated, unrestricted and unregulated rehabilitation/reconstruction efforts	This situation poses significant threat to achieving sustainable long-term benefits
4) Engagement of multilateral, UN agencies and INGOs is overshadowed by legal constraints and practical impediments 5) Engagement of local NGOs, CBOs, CSOs and addressing their concerns and capacity is very essential	Issues inherent to the nature of foreign agencies, such as the mode of operation, funding philosophy and the limitation of mandates affect the accomplishment of programmes. Intervention by INGOs imposes significant administrative complexities; complexities that are not matched by commitment to

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Issues	Comments
<p>5) Engagement of multilateral, UN agencies and INGOs is overshadowed by legal constraints and practical impediments 2) Engagement of local NGOs, CBOs, CSOs and addressing their concerns and capacity is very essential</p>	<p>Issues inherent to the nature of foreign agencies, such as the mode of operation, funding philosophy and the limitation of mandates affect the accomplishment of programmes. Intervention by INGOs imposes significant administrative complexities; complexities that are not matched by commitment to capacity building Rehabilitation and Development efforts in conflict affected areas often fail to recognise the processes and challenges involved in the management of associated changes. A formal recognition of these challenges by stakeholders, particularly the development partners is important for successful intervention.</p>
<p>6) TRO's association with LTTE is unclear</p>	<p>TRO needs to define its relationship with LTTE and clearly articulate its mandate</p>
<p>7) Approaches aimed at supporting rehabilitation and development of conflict-affected areas are still in their embryonic stage</p>	<p>A pluralistic environment, collaboration with stakeholders, learning from each other and dealing with issues in an open way is necessary to improve effectiveness of all interventions. The current state of affairs in the N/E is a net result of all that happened in the past 20 years.</p>
<p>8) Engagement of Diaspora is essential for post-war efforts</p>	<p>The biggest strength of Tamils is their expertise throughout the world. The Tamil Diaspora are a ready made resource for effective and efficient change management. A more formal recognition of Diaspora contributions and appropriate support systems to engage them is essential.</p>
<p>9) "SELF HELP" supported by Diaspora and Donor community is the way forward for the North-East</p>	<p>It is important to strike an effective balance between "development" and improving the "capacity to absorb". Failure will result in frustration and adverse reactions Large scale capacity building of the North-East is a prerequisite to ensure locals receive peace dividend. Valuable time is being lost and urgent attention is required. The people of the North-East must own the "solutions" and not others.</p>
<p>7) TRO has made a welcome start towards significant goals and needs to be supported</p>	<p>The infrastructure and the capacity of TRO must be fully utilised to contribute towards post-war reconstruction challenges.</p>

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TRO CONFERENCE

Welcome and an Introduction of Issues and Challenges faced by TRO

K.P. Regi, Executive Director, TRO

We have started a journey of change to become more effective and efficient in the delivery of necessary aid and assistance to our people at this crucial hour of need. We are not perfect and want to learn from key players and are also prepared to make hard decisions and undertake the necessary efforts. We commit ourselves to collaborate with all stakeholders and welcome their input to be more effective in our service delivery.

This conference marks the commencement of formally identifying all areas relevant for a balanced and effective approach in addressing the rehabilitation and development challenges of the North-East and to address TRO's organisational changes required to formulate and implement our Action Plan. We are in the process of finalising our "Accelerated Three Year Plan" and the knowledge we gain at this conference will contribute towards the success of this plan.

A narrow partisan and inconsiderate approach to the challenges faced by TRO and other community-based organisations of the North-East would only be detrimental in working towards peace.

A survey of 60,000 families undertaken by TRO over a period of three months in the North-East has indicated that a huge gap exists between the needs and perceptions of the North-East population and the interventions that are being carried out in the North-East (by various organizations including the UN agencies). The people of the North-East do not seem to understand what these interventions are about. The lack of understanding cannot simply be identified as problems relating to the intervention or the initiator of the interventions. It is the lack of capacity of the people to comprehend and understand the details of interventions that is causing the problem. It is important for the people to understand the reasons and rationale for projects to be successful and to appreciate the peace dividend being achieved.

The Tamil Diaspora in the past have supported the majority of the financial and other resource requirements of TRO and are one of our most important stakeholders. It is also important for them to appreciate the scope, types and details of interventions being undertaken by TRO in Sri Lanka for them to appreciate that a meaningful peace dividend is being achieved by the people of the North-East.

The lack of understanding was also the direct result of the contradictory priorities of the population of the North-East and the INGO and other development sectors. People do not seem to fully understand the rationale for several projects. For example, last year Vanni produced more rice than its local population could consume and struggled to market it. However, UN's World Food Programme, bound by its mandate, ended up bringing rice to the region despite the requests that instead of bringing rice, they could buy rice at moderately lower prices in Kilinochchi and then re distribute it among the needy in other regions.

It is apparently common for such issues to take place in a post-conflict environment and events such as today's conference will help eliminate them.

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Current Challenges and a Situation Analysis

Naga Narendran

This conference was part of a process of strategic planning for re-creating TRO's strategies, policies, processes and resources in a changed environment. TRO wishes to de-politicise and de-personalise the issues and the current challenges ahead. TRO currently employs over 3500 people and is represented in all 8 districts of the North-East and its budget exceeds Rs1 billion (current year). TRO has access to nearly 500,000 Diaspora overseas (through its 14 overseas offices) and many hundreds of thousands of people in the North-East.

TRO took this opportunity to put forward its view of the development environment to an expert audience for validation. The economy, health, education and social infrastructure of the North-East has been totally devastated and people are continuing to undergo severe hardship. TRO highlighted the lack of meaningful progress in the area of rehabilitation and cited the following reasons:

- Government efforts were ineffective due to bureaucratic policy paralysis caused by many elections within a short time, pre-occupation with "Regaining Sri Lanka" and awaiting the anticipated donor funding.
- There are many INGOs operating, each with their own limited mandate, own funding restrictions and donor funding conditions. There are several ad-hoc, fragmented and un-coordinated initiatives creating a danger of an un-sustainable project outcome.
- Local NGOs lack capacity and are unable to cope with the capacity requirements imposed by the many INGOs seeking programme partners. Unable to compete with the exorbitant salary levels of INGOs local personnel, there is a conflict of culture between INGOs local field personnel and local NGOs field personnel. Local NGOs are losing their best staff.
- Local NGOs implement projects but are not allowed any administrative cost recovery, whereas INGOs receive substantial funding for administration
- Ownership of interventions must be transferred to ensure sustainability but the lack of capacity of the local community is a hindrance
- Capacity building is the main key for sustainable and participative development
- Tamil Diaspora is a significant key for a quick impact on capacity development for rehabilitation and development towards peace building
- TRO is aware of the confusion about the perception of the relationship between LTTE and TRO and will stand for judgement by its actions and not by perceptions
- Wide ranging and expensive consultancy reports, baseline surveys, and other documentation are being undertaken and regularly the value of these initiatives is not converted to its expected benefits. Access to these reports by local organisations is important. Such reports also appear to be done prior to project commencement and there are hardly ever any project impact reports detailing beneficiaries / service.

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- On its part, TRO has embarked on a "process of de-politicisation, de-personalisation and re-conceptualisation" of the challenges ahead
- The transition is difficult, painstaking and demands a considerable amount of time, resources and energy; working in a post-conflict zone as a lead organization whilst carrying out organizational reform is not an easy task. TRO's initiatives and hard work on this front has not been sufficiently acknowledged by other stakeholders.

The Panel - "Rehabilitation and Reconstruction of the North-East"

Harim Peiris, "A Fresh Start"

In the policy framework of the new administration an integral part of the RRR is partnership with community stakeholders. In a fresh start, entire government efforts of rehabilitation and reconstruction have been brought under one roof. This will help in better coordination of services, keeping the overheads down and eliminating the corruption that prevailed in the past administrations. We will have a zero tolerance policy on corruption.

Emphasis, priority and political will of the new administration of RRR is demonstrated by the President retaining this Ministry. The vision of the RRR is to carry out the much needed humanitarian interventions that all the stakeholders agree upon. The Government and the LTTE have agreed on addressing the immediate humanitarian needs and these will be addressed as priorities. In addressing these needs, views and aspirations of the locals will be given priority and decisions will not simply be made in Colombo.

The RRR ministry is committed to working closely with all stakeholders. We want the RRR efforts to be a genuine partnership and people-based. The solutions will originate from the North-East. These must be done correctly and done urgently. The issue is not about putting a person back in a home but is about having the necessary associated structure to have a productive life.

The Peace Secretariat will address other major issues and negotiations. Greater development will occur parallel to the peace process and progress on political issues.

There are significant initiatives commencing on the 1st of July. Work will commence on the building of 65,000 homes and on the action plan to address the road network that is very essential for a stable commercial network. The first phase of 90 bridges and ferries will commence with the building of 15 bridges and 2 ferries.

TRO occupies a special place with its role in humanitarian activities in the North-East. RRR is very much looking forward to working with TRO.

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Peter Harrold, "Opportunities and Challenges as seen by the WB"

There is widespread recognition that capacity building at all levels in the North-East is clearly a principal issue. The World Bank and the UN family are focussing on capacity building initiatives at Provincial, District and community levels.

The problem with the rehabilitation and reconstruction of the North-East is fundamental: how can one work in the post-conflict zones in the absence of any institutional mechanism that is mutually agreed upon? In this current environment World Bank is unable to take up the massive challenge of reconstructing and developing the NE as there is no institution that is cooperatively created. The process is suffering due to this lack of cooperation by the parties to the conflict.

World Bank is unable to directly support the LTTE in this current context.

We need to design imaginative ways of dealing with some of the other challenges, like for example, issues of the construction industry. The current requirements for construction companies qualified to undertake projects preclude companies from the North-East. These are serious and urgent concerns. These are now being recognised and will have to be resolved soon.

Approximately, an estimated \$225 million will be made available before the end of this year to the North-East. This however, is approximately 15% of the money going to Sri Lanka. This is a drop in the bucket compared to the needs of the North-East. All money passes through the North-East provisional council and primarily goes through the Government Agents. We hope this will touch the lives of a significant number of people.

TRO has earned a fine reputation and a significant track record. There is no impediment for the World Bank to work with TRO, as TRO is a registered legal body. TRO still needs to bid and earn their contracts in competition with other organisations.

The contribution that the Diaspora are making is self-evident and there are more and more highly skilled Diaspora engaging in addressing the current needs. TRO's contribution in facilitating the Diaspora to return and help with reconstruction can be clearly seen. It is one thing to expect the Diaspora to come and serve during their summer vacation but expecting them to sacrifice their income and serve for a longer period is another. Donor agencies will search for mechanisms to assist in the return of Diaspora for a longer term contribution.

TRO has significant links and has the capacity to attract Diaspora more so than any other organisation, and this should be encouraged and converted to engage more Diaspora. TRO needs to diversify and expand their services to help with the donor initiatives.

Restoration of the lives of some of those who are affected is naturally a priority.

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Miguel Bermeo "Opportunity and Challenges as seen by the UN"

The UN family has a very clear mandate to support the socio-economic needs of the North-East. The Secretary General of the UN responded positively and quickly to the invitation of the previous administration by sending a delegation representing members of various organisations of the UN family to Sri Lanka. This team set the tone for what the UN intends to carry out to assist the peace process.

In a short period this multi-lateral team was able to bring about a far more coordinated approach and published a needs assessment report for the North-East. This report was produced in a cooperative way involving both parties to the conflict and became the basis of discussion of the Tokyo conference.

The "Needs Assessment Document" is now followed by the document "Preparing for Transition - Contribution of the Multilateral Group" which was published recently. This document was done with the consultation of the Government and the civil society and has now been forwarded to the LTTE where a detailed consultation with the LTTE will take place. This document provides the way and priorities for an organised response to those areas that fall within the purview of the multilateral group.

Any transition will have its ups and downs and the implementation of the Strategy is compelled to be sensitive to these and adapt our work according to the realities. In the presentation done by TRO of its views this fact has not been fully taken into consideration.

We believe that the issue of capacity building is perhaps one of the most important challenges facing the North-East. There are several difficulties in dealing with these challenges which have to be worked through one by one. The Planning and Development Secretariat of the LTTE is a very important institution of the future but we in the multilateral group are constrained to directly support its capacity development due to constitutional limitations.

One way of avoiding these constitutional limitations as UNDP has done is to go directly to the grass root organisations such as Co-operatives, savings associations etc and undertake capacity building at that level. This process has been worked out within purview of the district review boards so as to ensure that local priorities are duly recognised and accommodated.

TRO's point of view regarding the need to engage Diaspora is received well and has already been recognised by the donor agencies. We have several mechanisms that could assist with engaging Diaspora in capacity building in the North-East. If necessary these mechanisms could be expanded to provide further support.

We hear loud and clear from the presentation of TRO, your perceptions, your challenges and your aspirations and these are very well-received. We understand, support and appreciate that. In return TRO must appreciate the limitations placed on UN organizations including UNDP. As one of the inter-Governmental Organisations we have to work within the bounds of the constitution of Sri Lanka as well as following guidelines placed on us by the government. We are unable to go faster than the will of both parties permit. Lack of an institutional mechanism to facilitate this agreement within the parties is a major impediment to progress and acceleration of our initiatives.

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Discussion

- The Government Bureaucracy is unable to effectively handle post- war environment such as the North-East as it was designed to manage a stable society.
- There is noticeable lack of consultancy at the local beneficiary level. Issues are becoming evident only during or even after the completion of projects. Some of the initiatives such as the provision of UAS allowance have had significant problems in their implementation due to lack of local involvement in the design of delivery. In some cases even the projects that have had extensive consultancy with the beneficiaries come across several problems due to lack of capacity at the local level. RRR will give priority to consultation with the people and genuine partnership in service delivery.
- The need for capacity building in the North-East has been conveyed very strongly from the North-East.
- A request was made to address the capacity building needs of the North-East in an organised and structured manner rather than in random and project-specific fashion. It was noted that the issue is the absence of an institutional mechanism to work within rather than the lack of planning.
- TRO is making a significant contribution and enjoys wide support from the donor agencies and is encouraged to diversify and use its organisational capacity to engage in more services.



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TRO and its Environment

Ted Chaiban, UNICEF - "TRO as a Programme Partner"

TRO's capacity to meet the requirements of its programme partners is in the main considerable, and it has undertaken and completed several projects to the satisfaction of stakeholders. TRO's knowledge of the situation in the North-East, their commitment to humanitarian action, rehabilitation and reconstruction, and an active leadership are some of its strengths. However, there are areas that need to be improved for TRO to further build on their profile and to engage many more partners.

It is problematic that TRO's association with the LTTE is not clear. TRO's ability to manage large scale funds of various INGOs needs to improve. The capacity of TRO needs to be built to improve decision making modalities, good governance and its presence in the East. TRO also needs to have a limited and well defined scope for its mission. A fully integrated and visionary management plan and an action plan are essential to enable TRO to achieve its full potential. A comprehensive management review needs to be carried out with input from Diaspora and external expertise.

UNICEF offers to support TRO to enhance its management capacity through a formal and structured analysis of the organisation, and to put in place measures to develop the organisation.

Brian Smith, ADB - "Challenges for the Donor Community"

Approaches aimed at supporting the rehabilitation of conflict-affected areas and initiating a process of sustainable development are still in their embryonic stage. A pluralistic environment, collaboration with stakeholders, learning from each other and dealing with issues in an open way are necessary to improve the effectiveness of all interventions. The "Absorptive Capacity" of the North-East region must be improved quickly.

Increasing local capacity will also provide the region with the ability to take responsibility for its long-term development. One of the ways to 'kick-start' this capacity development is to appeal to the Diaspora, individuals who have left because of the conflict and who either took crucial skills with them or who have had the opportunity to acquire key skills in their adopted countries. I've had the opportunity to meet a number of members of the Tamil Diaspora during my visits to Kilinochchi and have been very impressed by the knowledge they are bringing back to their mother country and by the commitment they show to help rebuild the North-East. Not only are their skills of immediate use in helping to organise and implement the work of, for example, TRO, but they also are good multipliers, sharing these skills with their compatriots who have remained in the country, thus expanding the domestic pool of qualified human resources.

The extent and the nature of the links between the LTTE and TRO are a matter of some controversy and if TRO wants to promote their status as an independent organisation, they need to demonstrate this not only in word, but in deed.

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To strengthen its credibility as a rehabilitation/development partner, it would be helpful for TRO to not just formally but in practice affirm its commitment to seeing multiple civil society rehabilitation actors share the burden in the North-East. This will help ensure that TRO's prominence is established not on the basis of its links with the dominant political organisation, but on the basis of its recognised technical and organisational competence.

Anthea Mulakala, DFID - "Challenges for the Donor Community"

For bilateral development partners the interface between development and diplomacy is sharp. This means addressing the causes and consequences of conflict, and the implementation as well as institutional challenges to conflict transformation. Successful transition to peace requires parallel progress on both tracks.

Sustainability of interventions requires attention to broader institutional issues. Institutions can be both obstacles to conflict transformation or 'drivers of change'. There is evidence at local level of obstacles in institutional accountability, participation, pluralism, human rights etc. Reforms in these areas are what development partners describe as 'progress on peace'. The perception of TRO as an arm of the LTTE is an issue that is affecting TRO's full participation in the development of the North-East. TRO could play a significant role as a driver of change in the transitional period, enabling a stronger voice for civil society in the delivery of development assistance in the North-East.

TRO should engage in advocating for best practice, pluralism and promoting accountability that is demand-driven, maximizing the potential of the Diaspora in this area as well as the technical expertise it provides. TRO's role/mandate needs to evolve, become more strategic and address both implementation and institutional challenges.

Discussion

- Rehabilitation and Development efforts in conflict affected areas often fail to recognise the processes and challenges involved in the management of associated changes. A formal recognition of these challenges by the stakeholders, particularly the development partners is the key to the success of interventions. The current state of affairs in the North-East is a net result of all that has happened in the past 20 years. A full consideration of the state of mind of the people of the North-East and recognising the importance of the associated macro-level environment / climate are very vital for the success of development interventions.
- The process of change management needs to recognise the past and present. Strengthening civil society and building capacity to "Absorb Development" are very important prerequisites and challenges. Pluralism, good governance, democracy etc are easily achievable when the right kind of macro environment exists.

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The Changing Role of TRO and Challenges

Raj Gunanathan, TRO (Canada)

TRO is now independently operating in 15 countries including Sri Lanka, in accordance with the laws and regulations of the respective countries. TRO (Sri Lanka) amongst its other functions acts as the agent for international TROs (ITROs) to carry out specified activities.

In the past, the role of TRO Sri Lanka was limited to implementing programs relating to children's welfare, relief and rehabilitation. Such programs included the provision of emergency shelters, dry rations, cooked food, medicine, sanitation, nutritional supplements and micro credit for self-employment, to the internally displaced people in the North-East of Sri Lanka.

The circumstances under which TRO Sri Lanka operates have changed drastically for the better since the signing of the ceasefire agreement between the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE). But, the same cannot be said for the ITROs, since some countries still view them as front organizations of the LTTE in spite of the fact that the ITROs are careful not to have any dealings with the LTTE. The relationship between the TRO and LTTE in Sri Lanka is akin to, for example, that of The United Way in Ontario and the Provincial government of Ontario, where both institutions are independent and at the same time interdependent. The United Way needs the support of the government to function smoothly and the government needs the services of the United Way to deliver humanitarian services to the under privileged.

The role of TRO has undergone major changes since the signing of the ceasefire agreement. In addition to vastly expanding its relief and rehabilitation activities it has now ventured into reconstruction and rehabilitation activities with emphasis on creating the necessary infrastructure, including institutions for education and skills development. I have visited Vanni three times in the last two years after an absence of 17 years and was indeed astonished at the pace of development taking place there. From the scale of activities going on I indeed got the impression that TRO is many government departments rolled into one. On our last trip a few weeks ago, my wife and I brought our children and grandchildren with us and wanted to show them the mine-infested landscape along A9 highway in Vanni as we knew from our earlier trips. We were pleasantly surprised to observe that most of the areas, at least along the highway, were cleared, thanks to TRO and the international agencies involved in de-mining. It is one thing to provide the funds and it is another to utilize the funds effectively to accomplish the desired objectives economically. TRO has amply demonstrated that it is one of the rare species that can deliver more than the money's worth due to its commitment, efficiency and hard work.

Under the prevailing atmosphere of relative peace, TRO Sri Lanka has undertaken many major long-term reconstruction programs with the financial assistance of agencies such as those participating here today. However, the fact remains that the available funding is meagre compared to the needs. There is a major role for ITROs too to play in providing direct relief to the people of the North-East and in reconstruction and rehabilitation activities. The Tamil Diaspora involvement in the provision of direct relief to the war affected persons in the North-East will as a matter of necessity continue for a long time to come.

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The Tamil Diaspora in many countries belong mainly to the first generation of migrants and as such have nostalgic memories of their homeland and a great desire to help those in distress. They wish to participate in the short- and long-term reconstruction of their homeland. They still have relations, friends, and neighbours back in the North-East. They still own lands and houses. Their attachment to their villages, alma maters, temples and churches is as fresh as ever. Hence they are very desirous to engage themselves in the reconstruction and rehabilitation of their homeland.

I am proud to be a Canadian. Canada has been the most compassionate and benevolent country in the world in accepting the Tamil refugees from Sri Lanka and today the greater Toronto area is the home for over 200,000 Tamil Canadians. It has the distinction of having the largest number of Sri Lankan Tamils outside North-East Sri Lanka. The potential for Diaspora involvement in reconstruction and rehabilitation here is high if some of the challenges and threats are overcome.

The main challenge faced by ITROs is the denial of tax exemption to the donors in many countries. The United States is a notable exception where TRO (USA) enjoys tax-exemption status. The denial of tax-exemption status has a double-edged effect in that on the one side it blunts the initiative of the Diaspora while on the other it casts aspersions on the organization itself. The non-recognition of ITROs for the purpose of tax exemption in many countries is the single greatest challenge that is facing these organizations. We are not asking for special favours. We are only asking for the right to operate like hundreds of other charities to provide humanitarian assistance to our hapless brothers and sisters living in the North-East.

In the name of fighting terrorism, some countries tend to curtail the activities of genuine humanitarian relief agencies such as the ITROs. The fear is instilled in the minds of the Tamil Diaspora that funds collected by the ITROs are channelled to the LTTE and therefore funding the ITROs is tantamount to supporting terrorism. As far as TRO (Canada) is concerned, every penny received is accounted for and is traceable to a humanitarian project in the North-East. I would like to mention with pride that the overhead expenditure of TRO (Canada) is minimal and more than 90% of the donations received reach the target group. There is no doubt that the anti-terrorism laws are extremely essential for national security but the guarantees against the abuse of such laws directed against law abiding citizens involved in pure humanitarian activities are equally essential.

In conclusion, the Tamils in the North-East and the Tamil Diaspora spread all over the world have a dream. A dream that with their dedication, hard work, knowledge, experience and patriotism they will, in the very near future, develop their homeland and raise the standard of living of the people to be comparable to that of the developed world. This is not an empty dream. It is sheer determination. What we seek from the Berghof Foundation and from all the agencies that have come forward to assist us in our hour of need is help in the lift-off. Thereafter we will cruise on our own and who knows, perhaps one day soon, we will join you to help others in the predicament in which we are in today.

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The Past, Present and Future of TRO

Naga Narendran

Understanding the origin and history of TRO helps in understanding TRO itself. Prior to the cease-fire agreement, there was restricted access to the North East and because of the lack of credible information emanating from the area, a wrong perception of TRO was created. Many people misunderstood TRO's objectives and formed shallow views. An objective of this conference was to demystify TRO and its mandate and to make an open commitment to collaborate and address much needed rehabilitation and development needs in the North East. TRO does not claim to be perfect but has performed remarkably well under the environment and pressures which have prevailed during its 19 years of operation.

TRO was formed by refugees themselves as a self-help organisation. The organisation itself, and its people, have endured displacement and relocation on several occasions along with civilians of the North-East. TRO has bravely faced the worst period of war at the coal face preventing death by starvation, attending to orphans, elderly and the disabled, and providing much needed relief to the needy. TRO provided the only direct mechanism available to carry out projects designed and specified by the Tamil Diaspora to help their brethren in the worst affected areas. In the past, the Tamil Diaspora was the only source of funding.

Whilst the macro-political environment and shallow perceptions of TRO pose threats, TRO has significant capacity to contribute to rehabilitation, development and peace building. There are several aspects of TRO that need addressing, however, in the main they all relate to its capacity building requirements.

TRO has now taken the first major step to engage all the stakeholders in reassessing its strategies, processes and effectiveness and redesigning itself to become a significant player in the North-East. TRO's challenges will be to become an excellent model in adapting to a new and changed environment and to excel in its performance by aspiring to match world's best practices.

Capacity building and social empowerment to enable balanced and sustainable reconstruction and development will be TRO's focus in the future.

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Expert Comments by Buri Mohamed Hamza & Dr R Cheran

- The international community imposes conditions and expectations and set agendas for development, based on their priorities and assessments of the situation. The value systems and basis for priorities of the individual constituents of development partners are also diverse. In most cases even in one single development partner i.e. a bilateral donor, there is no policy cohesion within the various administration systems.
- Interventions are based on multiple agendas and they result in varying degrees of success. In the main, impacts of such an approach have had negative results for the host communities. Somalia has experienced first hand these types of interventions with no long term responsibility by any one party for the outcome or sustainability of the outcome. The key is to strike the right balance.
- Solutions must be owned by the beneficiaries. Ownership can only be achieved by improving the capacity of the people to undertake and initiate a bottom-up development agenda.
- The current norms in "Donor Assisted Development" have a "take it or leave it approach" and a "do not ask questions about a gift horse" paradigm. There is plenty of research on the failure of these approaches resulting in the host countries paying a long term price. The answer is to rapidly improve the capacity of the people to own the solutions. In the case of the North-East of Sri Lanka, engagement of Diaspora is one of the obvious answers.
- Interventions that are advocated by donors are generally developed in conjunction with only one of the parties to the conflict. The nature of Inter-Governmental relationship of the Donors will necessarily result in initiatives that are skewed in favour of the Government. TRO must bear this in mind and avoid affecting the balance of power of the parties to the conflict. It is important to ensure that TRO is cognisant of the dynamics of the impact of development assistance on conflict to retain its credibility.
- Donor assistance and development agendas have to necessarily consider conflict as their principal emphasis. Every organisation such as TRO who is involved in Rehabilitation and Reconstruction efforts in a post-war environment need to have not only micro-level technical expertise but macro-level awareness and knowledge as well, to ensure their sustainability. In the "post-nine-eleven" environment and due to the diverse nature of its stakeholders, this is particularly relevant for TRO.

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Role of the Diaspora in Peace Building and Reconstruction

Buri Hamza, "Reconstruction and Diaspora Involvement"

The emphasis was on advocating "Self Help" and a visionary approach. There are numerous examples of countries responding to various pressures from outside in an ad-hoc manner that have resulted in an unstable environment and un-sustainable rehabilitation and reconstruction. The Somalian experience highlights the pitfalls of the donor community and other pressure groups advancing agendas that are foreign to locals and are a low priority for sustainable progress.

An approach of "Inside Out" based on local culture, value systems and level of maturity would be more effective. Procurement-based development agendas imposed from outside without due consideration of the desires, aspirations and level of capacity of the locals to absorb development is something that must be guarded against. The donor community and the rest of the world have a lot to offer and all endeavours must be taken to harness these inputs.

Engagement of Diaspora in the rehabilitation and reconstruction challenges has been very effective and has created a positive atmosphere that is conducive to peaceful solutions. They also help the locals to develop their own solutions. There will be an adjustment period for the Diaspora but in the end their contribution helps to achieve a long term and sustainable solution. Their empathy with the problem and understanding of the culture, values and mannerisms can not be replaced by consultants with technical knowledge exclusively developed in a foreign society.

**'RECONSTRUCTION AND REHABILITATION TOWARDS PEACE-BUILDING -
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Martin Stuerzinger "Role of Diaspora in Peace Building & Reconstruction"

Peace building could be defined as "normalization" of relationships between people previously in conflict. Sustainable peace can be established by addressing root causes of conflict through reconciliation, institution building, and political and economic transformation.

The Diaspora's contribution to reconstruction vs. peace needs to be analysed. In the past the Tamil Diaspora's contribution to peace was not very evident, however, this situation is fast changing. Contribution to peace building is a complex challenge. The engagement of the Diaspora needs to be approached in a holistic manner and to address rehabilitation, institution building, political and economic transformation.

A rough estimate puts the number of Sri Lankan Diaspora at 1 million which consist of all three communities. The Diaspora contributes well to the reconstruction and relief through their support to their families and through organisations such as TRO. The annual contribution is conservatively estimated by Dr Cheran to be at least \$80 million for year 2001. The Diaspora also makes significant contribution by investment in properties and businesses in Sri Lanka.

Direct engagement of the Diaspora to address the current challenges in the North-East is a significant positive step; however, it will have its own problems. Returning members of the Diaspora will have changed and the situation in Sri Lanka too is not the same. This must be carefully approached to ensure that we receive maximum value of their return. One member of the Diaspora said "When I am in Switzerland I feel I am a Tamil but when I am in Sri Lanka I feel Swiss". This highlights their state of mind.

In the current context, the engagement of the Diaspora is the easiest way of benefiting the North-East capacity requirement. Certain members of the Diaspora bring with them enormous skills they have acquired such as social, language, professional and technical skills. They have also been exposed to new and diverse political and governing structures and this will help with the development of new administrative structures for the North-East.

The Department of Foreign Affairs of Switzerland has recognised the benefit of Diaspora returning to their traditional homeland temporarily and has announced a programme to send a batch of second generation Swiss youths for a period of two to four months. They will be supported by passage and allowance and the local agencies that will use them will have to provide the lodging and food. This will make a substantial contribution toward the normalisation of the North-East.

TRO's initiatives are commendable and must be encouraged. It is remarkable that TRO has been able to make substantial changes in this very short period since the cease fire to engage the donor community and improve the effectiveness of their services.

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Transnational Community Networks in Post-Conflict Development

Dr Cheran, "The case of Tamil Diaspora in Canada"

Canada is home to at least 200,000 Tamils, most of them from Sri Lanka. Recent studies indicate that 48% of this population experienced internal displacement before moving to Canada as refugees. It is also estimated that 60% of this population was directly exposed to war and war related trauma. The Canadian Tamil community is not considered as a high or middle income community according to Canadian data. However, the growing political and economic power of this community has been generally acknowledged by politicians, policy makers and community leaders in Sri Lanka and Canada.

The ability of a community / group to summon resources, strengths and networks using community or ethnic ties at times of crisis is referred to as social capital. Different communities exhibit different degrees of social capital in Canada. For example, a recent study has found that Tamils, Kurds and Somalians have much greater social capital than Russians and Croatians.

There are seven Home Village Associations (HVAs) and Alumni Associations (AA) for the eastern province, two for Vanni, and the rest are for Jaffna. The numbers keep changing since new ones are formed and some old ones cease to function. The average monetary value of development and other work undertaken by the HVAs in their villages in the post conflict zones ranges from \$CDN 8,000 - 20,000. Most of the development work is small scale and there is an emphasis on building/ reconstructing educational institutions and scholarship programs. The HVA/AAs are flexible and they can easily switch between relief and reconstruction modes.

My extended field work in the NE reveals the following:

1. TRO and HVAs are doing similar work in some areas.
2. The lack of coordination among HVA/AAs results in duplication and confusion.
3. Although the scale of operation of HVA/AAs is small, some HVA/AAs have mega projects and plans.
4. There is a regional imbalance in the work of HVA/AAs.
5. HVA/AAs operate only in their respective villages and schools. The wider society in the North-East is not aware of the activities of HVA/AAs.
6. HVA/AAs have significant potential in supporting small, self-sustaining communities.

Given the power of social capital that exists in the Tamil Diaspora, HVA/AAs can be positively and effectively utilized for reconstruction and development. However, a question remains: What are the mechanisms by which we can effectively work with and coordinate the activities of approximately 300 HVA/AAs? The TRO should reflect on this point.

Some HVA/AAs in Toronto have formed an umbrella group called Transnational and Diaspora Network for Development (TDND), Canada. TDND Canada is hoping to facilitate more effective coordination and outreach among Canadian Tamil HVA/AAs.

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A comparison of Basque (federal/ autonomous region), Somalian (no central state; free regions, chaotic) and Kurdish (safe haven/US protected) transnational communities indicate that Tamil communities in the North-East and the Diaspora have better organized social capital. There are only 175 Basque organizations in various parts of the world registered with Basque autonomous regional government sending roughly 1 million USD a year. It is estimated that the Tamil transnational community in Canada alone sends more than 10 million CDN a year.

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Hands on Experience of a Diaspora Member

Chandru Pararajasingham

I left Sri Lanka in 1984 and returned in 2002. During my 18 years in Australia, I followed the progress of the war and, over time, developed a strong desire to return when the time was right to be part of the new beginning of peace and the rebuilding of the country. I was fortunate to be able to convince my Australian wife, Margaret, to join me in this endeavour.

It was a cultural shock to return to Sri Lanka after an 18-year absence. To see the devastation in the North-East, caused by twenty years of war, was an even bigger shock to the system.

My role as Coordinator of TRO's newly established office in Colombo was challenging but I felt that the imperative was to keep the people in Colombo happy rather than helping the people in the North-East, but this caused immense frustration. I found I became pre-occupied with meeting the formalities of INGOs and their respective departments and divisions. These organisations seem to spend a large amount of time and resources, managing their internal issues and it is easy to become overwhelmed by the numerous meetings, workshops and conferences which are generated.

In many areas I have been required to work with the GoSL and again the frustrations of dealing with the government bureaucracy are immense. Despite assurances given by the GoSL (during the peace talks) that humanitarian aid destined for the North-East would not be obstructed, each consignment of goods sent by the Diaspora required many hours of negotiation and many rupees in 'duty', 'taxes' and other official and non-official expenses, to clear from the ports. In Australia and other Western nations, one cannot conceive of such complexities.

Another aspect of my role in Colombo was as a facilitator for the engagement of the Tamil Diaspora. Liaising with those intending to come to Sri Lanka and organising airport-pickups, accommodation and transport to the Vanni were immensely time-consuming.

My initial positive feelings about being part of a change were soon overshadowed by the gradual decline in my belief that systems and prejudices had changed. Only when visiting the Vanni (which I have done regularly, every 1 - 2 weeks) do I feel the enthusiasm, hope and ambition of the people who are striving to rebuild their lives, despite the uncertain odds and countless setbacks they confront. The unwavering belief of the people of the North-East that a prosperous future will emerge, rekindles my desire to be part of the reconstruction effort.

Throughout my 18 months with TRO in Sri Lanka, the importance of engaging Diaspora in sustainable peace efforts has been reinforced in my mind. We must all come to terms with the uncertainties of the current peace process but we must not allow counter-productive attitudes and events to distract from the ultimate goal of rebuilding the country.

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Challenges for TRO - Interactive Seminar Work

Numerous issues were identified at this conference which require detailed analysis and understanding to ensure they are adequately addressed. TRO senior executives, overseas representatives, other Diaspora and consultants briefly discussed key points that emanated from the conference. It was decided that issues pertaining to TRO administration be referred to TRO senior management for urgent consideration in conjunction with the assistance of consultants and with the support of a funding organisation such as UNICEF.

Due to a lack of time the following four key areas were the only ones brain stormed by sub-groups and the following findings were discussed at the plenary sessions:

Issues	Comments
<p>TRO's relationship with the LTTE is unclear TRO needs to formalise its organisation and mode of operation</p>	<p>TRO will highlight points of contact with the LTTE TRO will develop formal mechanisms and processes in dealing with the LTTE An Action Plan will be developed and implemented</p>
<p>TRO decision making is highly centralised. Re-look at the modalities to ensure wider participation in decision making</p>	<p>The district offices will be empowered to make most of the administrative-, project- and programme-related decisions including financial decisions. All organisational matters will be referred to TRO Head Office</p>
<p>Engagement of Diaspora will raise fresh challenges and these need to be understood and addressed</p>	<p>Communication of changes in environment and current priorities of TRO and project progress must be conveyed more effectively to the Diaspora The current needs must be analysed, understood and articulated to the Diaspora Carry out a campaign with the Expert Diaspora to enlist their involvement and create a database to be made available to organisations in the North-East Work closely with bilateral and multilateral donors and the GoSL to develop support mechanisms to assist the returning Diaspora Develop infrastructure to receive and house the Diaspora. Coordinate with other organizations to help facilitate briefings on the current political situation and socio-cultural challenges, which are likely to occur etc Initiate an International Support Network to support the rehabilitation of the TRO and the peace process in Sri Lanka</p>
<p>Relationship to other NGOs in the North-East and enhancing work in the North-East.</p>	<p>TRO should not perform a coordination role Train and develop the capacity of other NGOs Enhance the presence in the East Diversify and expand the scope of operation</p>

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Perspective for an Action Plan and Subsequent Steps

This conference and workshop has identified and discussed many various issues and proposals. An Action Plan to address these issues and proposals will be developed and implemented. This Action Plan will be implemented phase-by-phase to ensure there is no 'change overload' and the full benefits of these initiatives are achieved.

The following is a high-level Action Plan to be worked through to achieve specific actions and tasks identifying appropriate timeframes and responsible persons for its completion.

- Publish Conference Report and conduct meetings to present it to other stakeholders
- Education and Knowledge gathering by TRO key management to gain further knowledge in key issues pertaining to the transition period:
 - o The management and structure of large NGO operations
 - o Post-war development challenges faced by other countries and the outcomes
 - o Constraints, complexities and limitations of donor organisations in the absence of an institutional mechanism
 - o Gain appreciation of donor organisations' end objectives, philosophies and targets
 - o Engagement of local senior managers with administrative ability and delegate responsibilities
- Engagement of Diaspora and International Community
 - o Create a database of at least 1000 Tamil Diaspora experts to be made available for rehabilitation, reconstruction and peace building challenges
 - o Establish an International Peace Support Network with the help of other peace-building institutions
- Develop concept papers and canvass and solicit institutional support:
 - o Challenges of engaging Diaspora including informing, enlisting, engaging, compensating and providing support
 - o Strengthening the capacities of TRO
 - o Capacity building of other organisations in the North-East
 - o Capacity building of community based organisations and civil societies

A core batch of Diaspora will be engaged for a longer term (approx. 6 months) to facilitate the creation and commencement of implementation of an action plan.

- Mobilise Diaspora and Funding Bodies to:
 - o Develop 'Organisation and Management Capacity Enhancement Plan'
 - o Restructure TRO according to the emerging needs in the post-war context.
 - o Develop new strategies and policies.
 - o Develop futuristic new services for a more effective rehabilitation and reconstruction plan.
 - o Analyse current workload, determine priorities and delist activities that are low priority

All the above high level tasks must be undertaken in a parallel manner; however, some are required to be completed immediately.

Interaction between TRO and the LTTE

A clarification of the areas of interaction between TRO and the LTTE must be outlined to alleviate common misconceptions and to address concerns raised at the conference. TRO proposes to formalise these areas of interactions in a structured manner.

Understandably, TRO has a limited mandate and is subject to the policies and governance of the Governing authorities. In Government-controlled areas, TRO abides by the policies, laws, guidelines and other priorities as prescribed by the respective Government Agent or other bodies. Similarly, in the LTTE-controlled areas, TRO is compelled to work with the respective administrative division of the LTTE and GOSL structures in order to effectively carry out its programmes. These interactions are not unique to TRO and are applicable to all organisations, including INGOs, operating within the LTTE-controlled areas.

The following list outlines the areas of interactions:

- TRO receives requests to address humanitarian needs;
- Seeks permission to carry out programmes and projects;
- Liaise with the respective sectorial administrative bodies to achieve coordination in project delivery;
- Interact with Customs and Excise Office to obtain tax waiver for transportation of goods into the area for humanitarian objectives;
- Receives legal and court guidelines, laws and other instructions;
- Receives instructions and guidelines from Police; and
- Works within policy guidelines of the Political Wing Office.

The above is an exhaustive list.

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List of Attendees

- Anantharajah - Entrepreneur Development Director, TRO
- Anthea Mulakala, Reconstruction & Development Advisor, DIFID
- ASAHEINE SIDA
- Austin Fernando, JBIC Consultant
- Brian Smith, ADB
- Dr Buri Mohamed Hamsa, Former Minister of State For Foreign affairs for the Transitional National Government of Somalia
- Dr Cheran Ruthra Moorthy, Dept. of Sociology and Centre for Refugee studies, Toronto
- Chandru Pararajasingham, TRO, Colombo
- Christopher Feyan, German Development Cooperation
- Dr W. Jeyakularajah, Non-executive Director, TRO
- Dr Norbet Ropers, BERGHOF Foundation, Director
- Freddy James, Consultant, Ex Combatant Rehabilitation (IOM/TRO)
- Gael de Maisonneuve, French High Commission, Deputy Head of Mission
- Harim Pieries, Ministry of Relief, Rehabilitation and Reconstruction, GoSL
- Jeanne Samuel, Danish Development Corporation
- Julia Hume, TRO, Colombo
- Amali Abeyaratne, CHA, Colombo
- Jeyaraj, District Director TRO Jaffna
- Joe William, Development Advisor CIDA
- K.P Regi, Executive-Director, TRO
- Lawrence Christie, Planning Director, TRO
- Luxshi Vimalarajah, BERGHOF Foundation
- Margaret Pararajasingham, TRO, Colombo
- Marione Homayoun, Developmental Advisor, EU
- Shantha Kulasekera , IOM National Programme Officer, Sri Lanka
- Miki Morimitsu, Donor Coordinator, JICA
- Miguel Bermeo, UN Country-Representative
- Moorthy, District Director Vavuniya
- Narendran N, TRO Group Leader Consultant
- Naresh Duraisamy World Bank - Colombo
- Nirmalan Karthigeyan, Chartered Marketer, Governing Council member
- Okama Ekpe Brook, UN Volunteers - Programme Coordinator
- Percey Stanley, AUSAID
- Peter Harrold, Country Director, The World Bank
- Raj Gopal, Consultant, International School
- Raj Gunanathan, TRO, Canada
- Suren Ragavan, Berghof Foundation
- Surendra, TRO, Australia
- Ted Chaiban, Representative of Sri Lanka & Maldives, UNICEF
- Theverajah, District Director, Batticaloa
- Will Nankervis, Australian High Commission First Secretary (Political)
- Cap C. Gnakone, Consultant
- Garet Byrne UK
- Adam Potridge UK
- Chinaiah Sudas
- Christian Tardif
- Martin Sturzinger Embassy of Switzerland
- Nina Kataja, World Bank

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