SRI LANKA: POSSIBLE FUTURES

AND PATTERNS OF DISPLACEMENT

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Executive Summary

This paper aims to provide some foundation for optimization of preparedness for future humanitarian crises in Sri Lanka by mapping out possible scenarios for the coming two years. It reviews the primary causes of displacement in Sri Lanka – natural disasters and armed conflict – and elaborates on the current state of displacement. While discussing the main parameters of the future humanitarian situation on the South Asian island, the evolution of armed conflict is expected to be a determining, but erratic factor. Sri Lanka's four-year old peace process has entered a protracted impasse and options are open.

The four scenarios presented in this paper may be labelled as 1) a multi-polar guerrilla war, 2) a renewed bipolar war,3) a simmering crisis, and 4) tentative progress in the peace process. Depending on the scenario, aid agencies will be confronted with a massive exodus or a multiplicity of smaller displacement flows or the absence of either. In the first two scenarios, emergency relief, protection and humanitarian principles will be leading themes. Constrained processes of return and resettlement will feature in the latter two, and in this case donor fatigue may be likely.

All scenarios include continued violent incidents and setbacks. Moreover, there will certainly not be a satisfactory solution to the current displacement problem in the North and East. However, relocation or resettlement of tsunami-related IDPs is to be expected. In any case, intensive international engagement by humanitarian and development agencies will continue to be necessary.

1 Introduction

Sri Lanka stands at the eve of a new period. Four years after its spectacular start, the peace process has entered a protracted impasse. With the presidential election of Mahinda Rajapakse in November 2005, hopes for a resumption of talks with the Liberation Tigers of Tamil Eelam (LTTE) were high. The first session of talks in Geneva on 22 and 23 February 2006 did not bring about any major progress, but the parties emphasized their commitment to a political settlement. Meanwhile, the factors that hampered the peace process earlier are still in place and recent statements border on war rhetoric. Sri Lanka could be on the brink of a new period of war.

2 Displacement in the Sri Lankan Context

2.1 Armed Conflict in Sri Lanka

Until the tsunami ravaged the Sri Lankan coast in December 2004, armed conflict had been the primary cause of displacement on the South Asian island. Ever since the ethno-political conflict escalated into full-blown war in 1983, large numbers of people have been forced to flee their homes, either to other parts of Sri Lanka or overseas, mainly to India.

Sri Lanka's war has been portrayed as an ethnic struggle between the Sinhala and the Tamil inhabitants of the island. Others have interpreted it as an ethno-political attempt at secession by a militant – even terrorist – movement. Though neither account is completely incorrect, these simple typologies are unhelpful. Sri Lanka faces a welter of interconnected conflicts along lines of caste, class, region, religion, language and ethnicity. Even though the war between the Sri Lankan government and the LTTE is the predominant one, there are also conflicts between Muslims and the LTTE, between Sinhalese, Muslim and Tamil communities, between the government and extremist Sinhala political movements, and among various Tamil militant groups and factions.[1]

Sri Lanka has four main ethnic groups, who live interspersed throughout the country: the Sinhalese (74%), the Sri Lankan Tamils (12.7%), the Muslims (7%) and the Upcountry Tamils (5.5%). These figures are taken from the 1981 census, which is obviously no longer accurate, but normally regarded as the last reliable count. It is likely, however, that the Muslim numbers have risen. Though religion is the distinguishing feature, Muslims are considered to be a separate ethnic group. They have mostly Arabic historic roots, but live closely mixed with the Tamil and Sinhala populations and speak their respective languages. The Upcountry Tamils are the descendants of labour immigrants from the Indian state of Tamil Nadu, who were brought to Sri Lanka by the British colonial rulers to work on the plantations in the central highlands. They are also referred to as "Indian" or "Plantation" Tamils.

Though there are certainly ethnic concentrations, there are few ethnically homogeneous areas and the conflict has a long and contested history. Ancient inter-ethnic feuds and clashing interpretations concerning historic Sinhala Buddhist kingdoms on the one hand and the traditional Tamil homeland on the other continue to frame people's interpretations of the

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[1] Goodhand, J. and B. Klem, *Aid, Conflict, and Peacebuilding: 2000-2005*, Colombo: The Asia Foundation, 2005, http://www.asiafoundation.org/pdf/full_sr_report.pdf [accessed March 2006]

conflict.[2] In the post-colonial era we have witnessed a sequence of controversial ethnic policies in the field of language, state employment, university admission and land colonization that has invoked fierce protest, particularly from the Tamils. Initial resistance was political, but the Tamil polity eventually succumbed to various armed groups, which emerged in the 1970s and 1980s.[3] The Tamil insurgency thus started as a rather chaotic revolt that involved a long list of Tamil militias, but the LTTE brutally annihilated alternative forces. Initially a "mere" guerrilla movement, the LTTE has become a de facto state in the course of the war, and it is capable of effective rule in significant parts of the North and East, especially in the Vanni region and the coastal areas south of Trincomalee.

The war has gone through various stages of combat and negotiations. Neither externally imposed accords nor "indigenous" efforts have brought about a solution. Examples are the Indo-Lankan accord and the disastrous deployment of the Indian Peace Keeping Force in the late 1980s[4] and on the other hand the government-LTTE talks in 1995, initiated after the People's Alliance candidate, Chandrika Bandaranaike Kumaratunga, had gained the presidency.[5] In parallel to the "Tamil question", the state has faced challenges from the southern populations, particularly during the Janatha Vimukthi Peramuna (JVP) rebellion in the 1980s. On a leftist, ethno-nationalist agenda, the JVP gained massive support among Sinhala youth and came close to overthrowing the government. The eventual suppression of the movement was ruthless – the total death toll was as high as 60,000 – but finally successful. The JVP re-entered the democratic stream and has been regaining popular support since.[6] Meanwhile, continual divisions within the political elite have prevented a consistent political course and thus a resolution of "the Tamil struggle".

Sri Lanka has witnessed both symmetrical (trench-warfare, clear territorial control) and asymmetrical (hit and run, intimidation) warfare and this has resulted in different forms of displacement. Initially displacement was mainly the result of ethnic riots in the South, which occurred as early as the 1970s. Numbers skyrocketed however with the major battles of the 1980s and 1990s, which ended up in fierce, relentless struggles. Many Tamils fled to India and Western countries, and this diaspora has become a rich and influential actor.[7] With the help of UNHCR, some of the refugees – particularly those from India – have returned to Sri Lanka. The vast majority of displacement occurred within the country, though, and those displaced in this manner ended up living with relations or in displaced person camps, which the government euphemistically labelled "welfare centres". As the borders between areas controlled by the LTTE and government-controlled areas became more clearly defined and defended, many people were cut off from their families and livelihoods. This applies

[2] Frerks, G. and B. Klem (eds), *Dealing with Diversity: Sri Lankan Discourses on Peace and Conflict*, The Hague: Clingendael, 2004

[3] De Silva, K.M., *A History of Sri Lanka*, Colombo: Vijitha Yapa Publishers, 2005

[4] Dixit, J.N., *Assignment Colombo*, Colombo: Vijitha Yapa Publishers, 1998

[5] See, e.g., Samuel, K., Straining Consensus: Government Strategies for War and Peace in Sri Lanka 1994-98, in Armon, J. and L. Philipson (eds.), *Demanding Sacrifice: War and Negotiation in Sri Lanka*, Accord No 4, London: Conciliation Resources, 1998, http://www.c-r.org/accord/sri/accord4/straining_consensus.shtml [accessed March 2006]

[6] Uyangoda, J., Social Conflict, Radical Resistance and Projects of State Power: The Case of Janatha Vimukthi Peramuna of Sri Lanka, in M. Mayer, D. Rajasingham-Senanayake and Y. Thangarajah (eds.), *Building Local Capacities for Peace: Rethinking Conflict and Development in Sri Lanka*, Chennai: Macmillan, 2003

[7] Gunaratna, R., Impact of the Mobilised Tamil Diaspora on the Protracted Conflict in Sri Lanka, in Rupesinghe, K. (ed.), *Negotiating Peace in Sri Lanka: Efforts, Failures and Lessons*, London: International Alert, 1998

particularly to the North, where the LTTE-controlled Vanni region was practically sealed off. On the other hand, borders in the East have always been more permeable for the local population.

As the war continued, displacement took structural forms. Many people have faced several displacements over a period of 15 or 20 years. A major compounding factor in this regard has been the prevalence of so-called High Security Zones (HSZ). These are areas occupied by the military, in which the original inhabitants are unable to reclaim their land or buildings even when the fighting is over. Though the LTTE has HSZs as well, the government is particularly infamous for setting up camps in the midst of towns across the entire North and East. The largest HSZ covers the entire northern coast of the Jaffna peninsula, including the harbour, the airport, quite a number of villages and some of Jaffna's most fertile land. The LTTE claims that this HSZ denies some 130,000 people access to their homes, even after the 2002 ceasefire and demands dismantlement.[8] However, for the government the HSZs are practically the only effective buffer against rebel attacks. The government also claims that the numbers cited by the LTTE are grossly exaggerated.

The 2002 ceasefire and the subsequent peace process were preceded by a mutually hurting stalemate.[9] The LTTE had made significant territorial advances, but was faced with military limitations, both domestically in the form of war weariness and internationally, not least because of the US-led "war on terror". The government struggled with a severe economic crisis, military losses and its inability to prevent terrorist strikes on sensitive targets in the South. Lack of political unity initially prevented a reciprocation of the LTTE's unilateral ceasefire, but with the election of Ranil Wickremesinghe's United National Front in December 2001 the peace process rapidly commenced. A ceasefire was signed on 22 February 2002, Nordic observers – the Sri Lanka Monitoring Mission (SLMM) – were deployed and direct talks commenced.

Despite its quick take off, the peace process soon got stuck. After six round of talks in a half-year time span, the LTTE suspended its participation. The movement faced mounting pressure but saw no substantive political progress. In a letter to Prime Minister Wickremesinghe, LTTE negotiator Anton Balasingham outlined the areas of contention: firstly the government's strategy of marginalizing the LTTE in the international realm (particularly damaging was the donor meeting in Washington, from which the LTTE was excluded), secondly the failure to deal with the HSZ issue, and thirdly the government's economic strategy (the Poverty Reduction Strategy Paper – PRSP), which failed to address "the unique conditions of devastation in the northeast".[10] Ceasefire violations had meanwhile become very common. The bulk of these violations occurred at the hand of the LTTE and were by and large offences against the population (child recruitment, extortion, intimidation).[11] Muslim dissatisfaction continued to simmer throughout the process. Without adequate representation at the negotiations, the Muslims in the war-affected areas feared a sell-out to the LTTE. Intra-Muslim divisions pre-empted an effective bargaining position,

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[8] Jeyaraj, D.B.S., Sri Lanka: High-stakes Zones, *Frontline* [Chennai], Vol. 20, No 2, January 2003, http://www.hinduonnet.com/fline/fl2002/stories/20030131080202600.htm [accessed March 2006]

[9] Goodhand and Klem

[10] Balasingham, A., *War and Peace: Armed Struggle and Peace Efforts of Liberation Tigers*, Mitcham: Fairmax Publishing, 2004, pp. 434-9

[11] For an up-to-date overview, see the Sri Lanka Monitoring Mission website, http://www.slmm.lk [accessed March 2006].

though. In addition, Eastern LTTE commander Karuna broke away from the movement, setting off a vicious struggle between his faction and the LTTE. Mutual ambushes and the killing of political leaders, journalists and teachers became an everyday reality in the multi-ethnic East, and did not bode well for the future.[12] Political disarray in the South compounded the gridlock in the peace process. When the LTTE unilaterally presented a proposal, this was perceived as a stepping stone to independence and President Kumaratunga called early elections that toppled Wickremesinghe's government. The new administration was a weak coalition of the Sinhalese nationalist JVP and the "mainstream" Sri Lanka Freedom Party. It was paralysed by infighting.

The peace process paved the way for IDP return, and during the initial peace rush almost 350,000 IDPs went home, while nearly 17,000 refugees returned from abroad. With the collapse of the process and the upsurge of violence, these trends were drastically reduced so that in 2005 less than 30,000 IDPs and less than 3,000 refugees returned.[13] Meanwhile, even relatively minor local clashes have continued to generate significant new displacement. The riots in the eastern town of Muthur in May 2003, for example, displaced some 40,000 people.[14]

It was thus in the context of a fragmented, multiple impasse – if not the verge of war – that the tsunami swept across Sri Lankan shores in December 2004. A brief period of countrywide fraternity in response to the indiscriminate strike of nature was followed by a resumption of enmity, tension and quarrels over aid and resettlement.[15] LTTE and government efforts to establish a joint aid mechanism eventually led to an agreement, but constitutional constraints prevented the actual implementation.

The presidential election of Mahinda Rajapakse in November 2005 ended a long period of political paralysis in the South. However, the resurfacing sense of leadership did not do away with political divisions. Though Rajapakse proclaimed to be pro-peace, no clear strategy has emerged for overcoming the obstacles of the peace process and for dealing with potential opponents (such as the JVP) in his own government. The escalation of violent incidents in December 2005, such as the killing some 50 government troops, was curbed by the joint decision to resume direct talks, but the introductory session (held in Geneva, 22-23 February 2006) did not create anything like a breakthrough. Incidents continue to occur and public statements border on war rhetoric.

2.2 "Natural" Disasters

The second causal factor with regard to displacement in Sri Lanka constitutes "natural" threats, although it must be stated that "natural" disasters often have a large number of man-made aspects, particularly those that compound a population's vulnerability. Sri Lanka has a

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[12] Goodhand and Klem

[13] United Nations High Commissioner for Refugees, *Statistical Summary as at 31 December 2005: Refugees and Internally Displaced, Repatriation and Returns to and within Sri Lanka*, Colombo, 2006, http://www.unhcr.lk [accessed March 2006]

[14] Internal Displacement Monitoring Centre, *Profile of Internal Displacement: Sri Lanka: Compilation of the Information Available in the Global IDP Database of the Norwegian Refugee Council as of 1 September 2005*, Geneva, 2005, p. 29, http://www.internal-displacement.org [accessed March 2006]

[15] Frerks, G. and B. Klem, *Tsunami Response in Sri Lanka: Report on a Field Visit from February 6-20, 2005*, The Hague: Clingendael Institute, 2005

long history of disasters.[16] Land slides, droughts, cyclones and floods have always caused suffering. The resulting displacement is normally minor and resettlement starts within days, weeks or months, but occasionally, the impact is greater. Flooding in the east and south in particular may be able to displace up to 100,000 or more.[17]

The tsunami of December 2004 was an unprecedented disaster. The wave swept across the eastern, southern and part of the western coast affecting over 1,000 km of coastline and 13 out of the country's 25 districts. With over 35,000 deaths and about a million displaced, the tsunami casualty figures almost reached, within a single day, numbers equal to those caused by 20 years of war.[18] The number of those displaced from their homes quickly came down to half a million, but has been rather persistent at this level since.

Despite initial demonstrations of solidarity, the disaster eventually intensified existing fractures in society along the lines of caste (members of the higher, land owning caste tend to live in the interior, not in the affected coastal areas), ethnicity (in a given area, one ethnic group might be more affected than the other) and between "tsunami IDPs" and "conflict IDPs", where the latter envied the former their "five star relief packages".[19] Also, pre-existing vulnerabilities related to livelihoods, land rights and ethno-political tensions compounded the tsunami impact. Particularly in the war-ridden Northeast, communities affected by the tsunami were already struggling for survival.[20]

Although the tsunami caused a vast change of conditions in Sri Lanka, it has not brought about a structural shift. It acted as a temporary pressure valve for the tense paralysis in the peace process and it nurtured fraternization and co-operation among ethnic communities. Moreover, it constituted a "moment of truth" and thus an impetus to take a more visionary approach to some of the urgent problems of the country. However, the tsunami response was in many ways a reflection of Sri Lanka's problems, rather than a solution to it. The state struggled with lethargy and intra-systemic cleavages of ethnic, political or regional kinds. Movements critical of the state, such as the LTTE and the JVP, were more efficient than the state bodies and gained esteem from their successes. International organizations were blamed for not meeting promises, filling their own pockets and failing to include local constituencies. There was a rampant lack of co-ordination, and rehabilitation efforts were stymied by traditional problems such as land ownership, the ethno-political geography, societal tensions and quarrels over aid. The tsunami did not bring about a revolution. In fact, within half a year the country was politically back to square one.[21] In terms of humanitarian and developmental conditions, the tsunami also meant a step back. Gradual progress is being made on rehabilitation, resettlement and reconstruction, but conflict-related and tsunami-related displacements have become an interconnected burden for the country and the prevalent conditions are acting against the achievement of a satisfactory structural solution.

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[16] See Sri Lanka disaster risk profile at http://gridca.grid.unep.ch/undp/cntry_profile.php?selectedCountry=215 [accessed March 2006]

[17] See, e.g., International Federation of Red Cross and Red Crescent Societies, *Sri Lanka: Flooding & Landslides: Information Bulletin*, No 2, 2003, http://www.ifrc.org/docs/appeals/rpts03/srilankafloods03a2.pdf [accessed March 2006]

[18] Frerks and Klem, *Tsunami Response...*

[19] Goodhand and Klem, p. 59

[20] Frerks, G. and B. Klem, *Muddling the Peace Process: Post-Tsunami Rehabilitation in War-Torn Sri Lanka*, The Hague: Clingendael, 2005

[21] Goodhand and Klem

2.3 Current State of Displacement

The number of conflict IDPs was at its highest in 1995, at just over one million, after which it has gradually declined, to fall to just under 400,000 in 2004. However, the tsunami halted this promising trend, and in addition created as many, if not more IDPs of its own (Table 1). Yet, most IDPs, whether their displacement is due to conflict or the tsunami, find themselves in the conflict-affected areas of the Northern and Eastern Province. Resettlement of the 340,000 conflict IDPs can be expected to be a protracted problem. The inhibiting factors for return – the HSZs, landlessness, poor livelihoods and security issues[22] – are there to stay for some time. The vast majority of these IDPs are Tamil (79%), with smaller numbers of Muslims (13%) and Sinhala (8%).[23] Over 80 % reside outside of the welfare centres and most of them live in the north of the country (Table 2). In addition a limited number of Sri Lankan external refugees continue to live abroad: some 124,800, of which 68,000 are in India.[24]

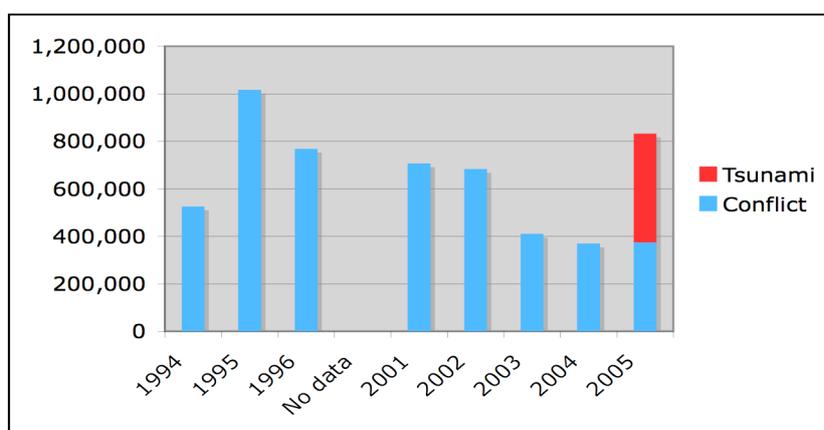**Table 1: Number of IDPs through the past decade[25]**

Table 2: Current displacement figures by province (number of individuals)[26]

Region	Due to conflict			Due to tsunami	Total
	Welfare Centres	**Non-WC**	**Total**		
Northern	27.521	181.283	208.804	30.982	**239.786**
Eastern	2.395	41.269	43.664	209.572	**253.236**
Southern	0	1.781	1.781	145.493	**147.274**
Northwestern	33.113	30.277	63.390	66	**63.456**
Other	5.428	16.157	21.585	71.463	**93.048**
Total	**68.457**	**270.767**	**339.224**	**457.576**	**796.800**

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[22] Internal Displacement Monitoring Centre, *Profile...*, p. 32

[23] Internal Displacement Monitoring Centre, *Profile...*, p. 8

[24] United Nations High Commissioner for Refugees, *Statistical Summary...*, p. 1

[25] Internal Displacement Monitoring Centre, *Profile...*, p. 41

[26] United Nations High Commissioner for Refugees, *Statistical Summary...*

3 Significant Future Parameters

Based on an overview of two decades of Sri Lankan history, it seems ill advised to engage in firm forecasts. The country's political dynamics are volatile, both the war and disasters have proved to be unpredictable and there is a range of simmering tensions that may or may not come to the fore. Though the underlying conflict parameters have largely stayed the same, detailed analyses of Sri Lankan dynamics have a short shelf life.

It would therefore be unwise to depend entirely on one future scenario. Development actors sometimes seem to rely on an "official future", whereas it requires a range of diverging scenarios to best prepare for potential future risks and opportunities. Thus, this paper does not aim to single out the most probable chain of events, but lays down four different plots, each of which pushes the edges of the plausible.

Firstly, as in the past, Sri Lanka's future humanitarian threats are likely to consist of both natural disasters and armed violence. Small-scale disasters – such as floods – are a near certainty, but they are unlikely to have a dominant impact. Another massive disaster – such as a tsunami – can never be ruled out, but the biggest threat will probably be man-made. The war has been the primary cause of displacement in Sri Lanka and there is a fair chance it will continue to be so in the future. The peace process still allows for hope, but it has failed to bring about a lasting solution to displacement, it has failed to put an end to violence and it has failed to rule out a relapse into war. Prospects are not bright.

Secondly, the question is not only whether war will start again, but also how such a war would evolve. The scale and pattern of violence determine the scope and nature of displacement. Different forms of fighting will yield very different consequences. In addition to the obvious conflict between the LTTE and the government forces, there is a wide range of simmering conflicts and tensions that may come to the surface in the near future. These include most significantly violence between Tamil groups (most prominently between the main part of the LTTE and its Eastern wing under the dissident commander Karuna), clashes between Muslims and Tamils in the East, aggression in the central highlands between Upcountry Tamils and other groups, and political discontent in the South. These focal points of violence have been common in the past and none of the underlying conflicts has been fully resolved. In the East, the situation has in fact only become more combustible, as political leaders seem to have nurtured intra-Tamil and Tamil-Muslim conflicts. If these tensions evolve into a spree of violence or full-blown war, the humanitarian consequences would be great.

Thirdly, future aid requirements are not only determined by these potential threats, but also by issues of vulnerability and coping capacities. On a general note, the vulnerability of the local populations has been accentuated by structural challenges such as poverty, insecurity, limited entitlements, the legacy of violent conflict and the tsunami. Health and education services, food security, access to clean water, sanitation and shelter are often in poor condition. Moreover, people struggle with psychosocial issues and restricted mobility.[27] It is to be expected that people living in the "border lands" (between LTTE and government control), in areas of ethnic tension or in proximity to strategic military assets will be extra

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[27] Jayatilaka, D. and R. Muggah, Where There Is No Information: IDP Vulnerability Assessments in Sri Lanka's Borderlands, *Forced Migration Review*, Vol. 20, May 2004, pp 39-41, http://www.fmreview.org/FMRpdfs/FMR20/FMR20full.pdf [accessed March 2006]

vulnerable. Within these communities, women, children and the elderly may require extra attention, though households headed by widowed males have also become a problem after the tsunami.[28]

On the other hand, people have learned to cope with many of their challenges. In some villages, displacement has almost become a matter of routine. People have learned to live with threats, parallel (LTTE/Government) governance structures, limited access to certain areas and economic restrictions. For example, day and night displacement – in order to continue school, agriculture or other livelihoods – has become rather common. Some communities with a turbulent displacement history have "near-portable lives" and both displacement and return are dealt with in a relatively orderly and efficient manner. Most people know how to deal with checkpoints and insecurity. The social "organization" of communities is often geared towards dealing with crises. Finally, people are quite skilled in getting access to aid resources and utilize incoming aid agencies to their benefit.[29]

Lastly, anticipated patterns of assistance are an important parameter. The state system has traditionally assumed a prominent role in supporting IDPs. The government has continued to run welfare centres and provide food rations to the needy, including those residing in rebel territory. However, if the tsunami is taken as test of state capacity and willingness to assist IDPs, the signs are worrying. Despite some successes, assistance has often been slow, unbalanced and inadequate. The workings of the political patronage system impeded an effective response. Moreover, it tended to widen existing ethnic rifts. The relative successes of non-state movements could further erode the state's credibility in the future.[30]

International support to Sri Lanka has taken a double leap in recent years. The peace process heralded a major increase of aid. Donors were eager to deliver a peace dividend and the context was more conducive for expenditure. The initial enthusiasm seemed to make way for increasing frustration with the breakdown of the peace process in 2003 and 2004, but then the tsunami hit Sri Lanka and another wave of funding came.[31] This time the aid rush brought a large number of implementing relief agencies along. The Northeast has become dominated by a bewildering multiplicity of aid programmes, implemented by local and international NGOs, various government bodies, the LTTE and its offshoots, donor agencies, the International Committee of the Red Cross (ICRC) and various national Red Cross societies, and the UN. The massive volume of these aid flows has probably benefited relief and rehabilitation, but the volatile anarchy of the aid scenery has probably undermined it. Malpractices as a result of spending pressure have also had adverse effects.[32] In the coming two years, this situation is unlikely to persist: most newly arrived agencies will either phase themselves out or take on a more structural focus. How they will deal with the political and security pressures of a re-emerging war remains to be seen.

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[28] Frerks and Klem, *Tsunami Response...*, p. 8

[29] Klem, B., Coping with Chaos: Dilemmas of Assistance in the War-torn Areas of Sri Lanka. Unpublished MSc thesis, University of Nijmegen, 2001

[30] Frerks and Klem, *Tsunami Response...*

[31] Frerks, G., and B. Klem, *Conditioning Peace among Protagonists: A Study into the Use of Peace Conditionalities in the Sri Lankan Peace Process*, The Hague: Clingendael Institute, fc 2006

[32] Frerks and Klem, *Tsunami Response...*, pp. 20-3

4 Possible Scenarios and Humanitarian Consequences

As has been emphasized throughout this account, the Sri Lankan conflict situation is at present at a particularly uncertain stage, and the aftermath of the tsunami has only served to further complicate what was an already faltering peace process and emerging new conflict lines. The following pages will attempt to sketch out tentative scenarios, ranging from a "worst" to a "best" case, based on possible key developments in the conflict situation and the actions and consequences on the ground that might follow.

4.1 Scenario 1: Towards an Asian Congo?

Key development: violent conflict splits the LTTE and other militias get drawn in. With alleged government support, renegade commander Karuna ambushes an LTTE convoy killing a large number of its cadres. The LTTE blames the government for not meeting its promises, terminates its participation in the peace process and restarts the war. The movement starts a vicious campaign against Karuna and other "traitors". Very rapidly the East becomes the theatre for a turbulent and ambiguous multi-polar guerrilla war. There are pockets controlled by LTTE, government or Karuna, but many areas are "grey". Targeted killings and more random destabilization campaigns occur on a daily basis. Incidents in the North are on a limited scale, but it is widely anticipated that the big battle for Jaffna is imminent.

Violence does not remain confined to the Tamil rebels and the government. The ambushing of Muslim vehicles, rape of some Muslim girls and damage to Muslim property invokes an outcry that the government fails to protect its Islamic citizens. "Self-protection brigades" emerge in Muslim dominated areas across the Northeast. Orchestrated popular riots occasionally grow out of hand, resulting in a sequence of reciprocating attacks between Tamil and Muslim groups. Both local political leaders and some of the nascent Jihadist groupings try to consolidate their position, which results in intra-Muslim struggles. JVP leaders in the Sinhala dominated towns of the East call on their citizens to protect their land and people. Educated but unemployed youth proves to be a fertile source of recruitment. Sinhala militias and "home guards" become a force to reckon with and the army is unable or unwilling to keep them in check. Particularly at times of Buddhist celebrations the situation is tense. In some areas, local ethnic minorities are "asked to leave" by one of the paramilitary groups. Retaliatory "ethnic cleansing" occurs in neighbouring divisions. In an attempt to prevent communal riots from spreading to the Upcountry, the government takes precautionary security measures. These in fact have an adverse effect. A few bomb incidents occur and independently of the degree of damage rumours spread that upcountry militias have adopted LTTE strategies and must be getting their support. Some of the more spectacular attacks in the South are directly claimed by the LTTE.

Instead of one massive displacement flow, there is a multitude of small-scale displacements. Added to the existing IDPs, the total number goes up to a million. Some people (including most of the local elite) move to Colombo, but most stay in the region, also because government restrictions prevent them from leaving the province. As a result of chaotic displacement flows, the unpredictable security circumstances and the large number of parties involved, providing relief and shelter is very difficult. Small ad hoc camps are set up throughout the Eastern Province, but intimidation and attacks are rampant and as a consequence people keep moving from one place to the other. Though attacks on aid agencies are exceptional, a few incidents occur, possibly resulting in the death of some expatriate NGO staff. Many agencies pull out, while others work under strict security procedures.

Summary scenario 1

Main developments:
- Talks collapse.
- Inter-ethnic tensions grow out of hand, first locally, then nationally.
- Rule of law replaced by rule of terror.

Scope and level of violence:
- Multi-polar guerrilla. New armed groups enter the scene.
- Unpredictable chaos in the East with rampant violence and (near)ethnic cleansing.
- Shifting and ambiguous alliances and a rather diffuse pattern of territorial control and influence.

Anticipated patterns of displacement:
- Large numbers, particularly in the east.
- Often short distance and many separate movements, rather than one big exodus. Small waves of return and displacement.

Aid responses:
- Hectic and often ad hoc.
- Some NGOs withdraw due to insecurity.
- Emphasis on access, protection and political pressure.

The UN Security Council calls on all parties to abide by humanitarian law and protect the civilian population, but in the end does little more than deciding to "remaining actively seized of this matter". The Nordic SLMM monitoring mission rapidly pulls out. Analysts and activists call in vain for the deployment of UN peacekeepers. Developments on the ground meanwhile deteriorate as other Sri Lankan regions and groups get drawn in to the Eastern frenzy and the country heads for a chronic humanitarian disaster.

4.2 Scenario 2: Back to Square One

Key development: LTTE aborts the peace process and full-scale war restarts.
Disappointed with the failure of the Sri Lankan government to implement the ceasefire agreement, LTTE leader Vellupillai Prabhakaran discards the peace process as an attempt by treacherous Sinhala chauvinists to eliminate the LTTE. As the Norwegian facilitators and the Nordic SLMM monitors leave the country, the LTTE starts an all-out attack on the Jaffna peninsula in the North, which in turn generates a government counter offensive on the southern side of the Vanni. To cut off the government's main naval route, the LTTE periodically strikes at the Trincomalee harbour. The town remains in government hands, but both military and aid operations are severely hampered by the prevalent instability. Violent incidents, killings and ambushes continue to occur all over the East. In reprisal for the government bombings on rebel territory, LTTE suicide bombers strike on sensitive targets in Colombo.

The government calls on the international community to proscribe the LTTE as a terrorist organization and security measures are installed across the country. Curfews and roadblocks re-enter Sri Lanka's street life and harassment of Tamil civilians as well as abductions under the Prevention of Terrorism Act soon become an everyday reality again. Government forces expand their HSZs and restrictions on aid to the Northeast become increasingly strict. Aid agencies are moreover confronted with Sinhala criticism of their "support for the Tamil insurgency". Space for advocacy with regard to human rights and humanitarianism – let alone peace – grows thin.

Summary scenario 2

Main developments:
- Collapse of peace process.
- Return to a war similar to the 1990s.

Scope and level of violence:
- Both symmetrical (trench-warfare) and asymmetrical (hit and run attacks).
- Government checkpoints. Harassment and abuse under Prevention of Terrorism Act.
- Allegations of human shielding on both sides.

Anticipated patterns of displacement:
- Similar to late 1990s: an exodus from the northern war zone.
- People getting "trapped" in the battlefield.
- Both long-term displacement and quicker forms (weeks or day/night shuttling).

Aid responses:
- Getting people from battle field to camps.
- Withdrawal of some the "tsunami agencies".
- Continuous struggle against government restrictions and LTTE manipulation of aid.

Symmetrical warfare   Displacement
Asymmetrical warfare   Return

The newly reconstructed town of Jaffna and surroundings are razed to the ground as the LTTE offensive gradually pushes its way in. The peninsula is practically cut off from the country. Civilian flights are suspended and a crossing to India is only possible trough illegal passage. Aid agencies negotiate with both sides to secure safe exit passage for civilians. Trench-warfare in the southern Vanni creates another exodus and the total number of newly displaced people goes up to some 600.000.

Security becomes a primary concern both for IDPs and agency staff. Many NGOs that came in after the tsunami disappear rapidly. Harassment of IDPs by government forces and extortion and forced recruitment by the LTTE are a common phenomenon in IDP camps. The LTTE affiliated Tamils Rehabilitation Organization (TRO) assumes control in some of the centres. In the east, paramilitary groups, such as Karuna, step up their recruitment as well, though they continue to keep their head down militarily. Tensions rise between "old" and "new" IDPs and between displaced people and the local communities. Ethnic anxieties and occasional riots occur in areas with a history of "Sinhala colonization" (along irrigation schemes in the east), and around Muslim pockets in the Eastern Province.

For aid agencies providing assistance in the LTTE controlled parts of the country is particularly difficult. Selecting secure office locations, circumventing LTTE attempts at manipulating aid and government restrictions on almost everything prove to be a challenging mix. Inter-agency competition among UN agencies, the ICRC and INGOs is unhelpful in dealing with this challenge.

4.3 Scenario 3: A Simmering Crisis

Key development: overall stalemate in conflict continues. Contrary to most predictions – which tend to envisage a dramatic turn of events – Sri Lanka undergoes very little change. Continuing the trend of the past four years, there are short peace rushes, setbacks, violent incidents, ultimatums, war preparations, resumed talks and stagnations. Meanwhile, hopes for a definite settlement erode. Paradoxically, the willingness and ability of the belligerents to resume war also erodes. Both the costs of war and the costs of peace exceed the current

situation of "relative comfort". Sri Lanka runs the risk of getting stuck half way between war and peace.

Political dialogue and limited warfare are no exclusive categories for either of the parties. Both strategies are pursued in parallel. Violent incidents, intimidation, extortion and forced recruitment continue, but large-scale violence is avoided. The gridlock on the political and military front is reflected in the humanitarian situation as well. With the exception of the inevitable flooding and security incidents, there are hardly any new IDPs and the need for protection is limited. Structural solutions are not in sight, though. Many tsunami-related IDPs gradually find their way back home, but the remainder – some 300,000 – are unable or unwilling to do so. Unable because of the HSZs and the lack of alternative land; unwilling because of the lack of economic opportunities, the security situation or the reluctance to resettle in LTTE controlled area. As a result of these and other developments, ethnic boundaries become firmer and ethnic pockets increasingly homogeneous.

Summary scenario 3

Main developments:
- Continuation of the trend: peace rushes and regressions.
- Stuck between war and peace.

Scope and level of violence:
- Negotiations and military struggle continue to occur in parallel.
- Continued ceasefire violations and paramilitary activity.
- Occasional threat of war, but no escalation.

Anticipated patterns of displacement:
- Hardly any new displacement.
- Gridlock on return and resettlement. The humanitarian situation "freezes".

Aid responses:
- Resettling tsunami IDPs.
- Continuation of assistance to IDPs in camps and elsewhere.
- Donor fatigue.
- Emphasis on government responsibility.

Disappointed with the limited success of their close involvement in the peace process, most donors revert to their fallback position: maintaining cordial ties with the government and supporting relief and rehabilitation in the Northeast. Political and financial priorities shift to other parts of the world. The "over-aiding" and uncoordinated aid rushes that were witnessed after the tsunami become rare phenomena. Aid agencies attempt to enhance collaboration with the government, but weaknesses of the bureaucracy and the political patronage system continue to be a major stumbling block.

4.4 Scenario 3: Gradual Progression of the Peace Process

Key development: both LTTE and government take steps to secure continued peace. Despite continued security incidents and threatening statements, the peace process continues to move. President Rajapakse delivers on his promise to prevent paramilitary hostilities against the LTTE and he manages to divide and in this way control the Sinhala opposition in his government. Following lengthy negotiations and various setbacks, a new joint mechanism is created through which Muslim representatives, the LTTE and the government share power

over the distribution of a donor-funded trust fund for the North and East. The government and the LTTE restate their willingness to "explore federalist solutions" and decide to hold debriefing sessions with the Muslim Peace Secretariat after each set of talks. A framework is created to jointly monitor human rights violations, and closer collaboration between the SLMM and the government and LTTE police helps tackling "ceasefire unrelated security incidents". Skirmishes, child recruitment in the east, political killings, ambushes and occasional riots and *hartalls*[33] continue to occur, but as was the case in the past four years, the parties prevent a full escalation and stick to their course. A final solution remains distant, however.

Summary scenario 4

Main developments:
- The ceasefire lasts.
- President Rajapakse develops effective political control.
- Careful steps towards more substantive peace process.
- Continuing spoiler behaviour, setbacks and incidents.

Scope and level of violence:
- Incidental violence at local level.
- Continued recruitment and extortion by LTTE.

Anticipated patterns of displacement:
- New displacement is limited.
- Tsunami IDPs gradually resettle.
- Factors impeding the return of conflict IDPs largely remain in place. Small steps forward.

Aid responses:
- Tsunami rehabilitation continues.
- Factors impeding return become a primary issue: dealing HSZs, land issues, insecurity, regaining livelihoods and general services.
- Standby for new displacements.

Symmetrical warfare   Displacement
Asymmetrical warfare   Return

In the near absence of newly displaced people, aid agencies focus their efforts on structural solutions to the existing problems. Initial constraints with regard to resettling tsunami IDPs are gradually overcome. Land continues to be a scarce commodity and HSZs largely remain in place, though the government symbolically frees some less important compounds, including some of the HSZs on the outskirts of Jaffna. Checkpoints are maintained in these so-called "inhabited buffer zones" and searches of houses and people are frequent. Both local and foreign human rights agencies protest against government conduct. The impact is questionable. Given that some people are unlikely to ever return to their native lands, alternative locations are sought. Due to the sensitive ethnic geography, progress is marginal. Though for different reasons, both the LTTE and "recipient" communities oppose relocation policies.

With the gradual completion of tsunami rehabilitation, many agencies either phase themselves out or find a new niche in the aid scenery. As a consequence, gender, psycho-social development, community dialogue, peacebuilding, and environmental projects rapidly replace each other as the flavour of the day. However, with the peace process underway and Sri Lanka's Middle Income Country status, many bilateral donors venture an exit strategy. The remaining programmes are largely channelled through the government and the joint mechanism. Funding for UN agencies and NGOs is reduced. Private initiatives and diaspora

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[33] The Sri Lankan term for spontaneous or enforced shutdown of an area out of protest.

activities continue to be common, however. An increasing number of Sri Lankan refugees return to the country. Returnees from India require assistance packages, while Western based returnees make sure they keep a foot in the door in London, Toronto or elsewhere. Particularly the latter group is active in international advocacy. Demonstrations and lobby campaigns come to be a common sight for European and North American policymakers.

5   Conclusions

Options are open. As is illustrated by the four scenarios, Sri Lanka's future path may lead in a wide range of directions. The country could slide into near anarchy with the East as its epicentre, or we might see a reversion to the traditional bipolar war. On the other hand both the LTTE and the Sri Lankan government might see enough value in the peace process at least not to allow it to collapse completely, and possibly even to make it possible for it to gradually move forward. Predicting which of the scenarios is most probable is a speculative affair. However, given that some aspects of the scenarios push the limits of the plausible, we may conclude that we are unlikely to see turns of events that are more dramatic than these. Less dramatic plots, or in-between scenarios are certainly a possibility.

The policy implications of each of these story lines are equally diverse. Aid agencies may have to grapple with a massive exodus, a combustible humanitarian chaos, the muddy road towards structural solutions or an unspectacular, but protracted crisis. Humanitarian access, protection and the dual battle against government restriction and LTTE manipulation may become the determining challenge. Alternatively, agencies may find themselves trying to bridge the gap between relief and sustainable solutions, while struggling with feeble government action, LTTE intransigence and the constant background of insecurity. Donor fatigue may moreover undermine operations.

Despite the radical trend differences, there are important commonalities among the scenarios. In all cases, there will be violent incidents and setbacks. Aid agencies need to keep in mind that short-term developments have proved to be unreliable indicators for longer-term trends in Sri Lanka. Another commonality is that there is unlikely to be a satisfactory solution to the current displacement problem in the North and East. Relocation or resettlement of tsunami-related IDPs is likely to be needed in the South and possibly in the North and East as well. International displacement will be a rare phenomenon in any case. International engagement of humanitarian and development actors will continue to be necessary. Finally, staff security will continue to be an issue, but targeted attacks on expatriate staff are very unlikely.

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