



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés



Ministry of Disaster Management  
and Human Rights

**Confidence Building  
&  
Stabilisation Measures  
for Internally Displaced Persons (IDPs)  
in the North & East of Sri Lanka**

**REFERENCE DOCUMENTS**

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# Guidelines on Confidence Building & Stabilisation Measures for IDPs in the North & East of Sri Lanka

# Guidelines on Confidence Building & Stabilisation Measures for IDPs in the North and East<sup>1</sup>

## I. BACKGROUND and RATIONALE

The security situation in the North and East of Sri Lanka has deteriorated since January 2006, with a marked intensification of tensions since April. While security reports have been filed from all districts, some of the incidents in the Northern and Eastern districts have been most worrisome and have led to general insecurity, fear and mistrust between different communities. This emphasises the need for measures designed to increase the confidence and trust of the affected population among different communities, in the armed forces and law enforcement agencies.

Since January 2006, a sizable number of people (in the tens of thousands) are estimated to have fled their homes and are living mainly in neighbouring communities in Trincomalee, Batticaloa and in the North (Jaffna, Mannar, Vavuniya). Reports indicate that some of the Trincomalee displaced fled to Mannar and onward to India. In addition, significant numbers of persons have left Sri Lanka to seek refuge in India since January 2006.

In addition to a political settlement to the conflict, the answer to the broader issue of displacement will require a multi-faceted set of measures, in order to create conditions conducive for the stabilisation of the population in areas of displacement and in areas of origin, and so as to provide effective protection and prevent further displacement. This will require a proactive engagement on the part of the Government of Sri Lanka and the non-State actors involved in the conflict.

## II. OBJECTIVES

These guidelines are based on the UNHCR's mandate in Sri Lanka recognising the need to adopt a set of guidelines on confidence building and stabilisation measures for IDPs in the North and East of Sri Lanka. Moreover, in keeping with UNHCR's adherence to the *Guiding Principles on Internal Displacement* and UNHCR's role as the lead agency in Sri Lanka to provide protection and humanitarian assistance to IDPs supplement the Government efforts, these guidelines have been developed on the premise that any return must be voluntary, and it is the responsibility of the Government to create the conditions conducive for IDPs to return in safety and with dignity, since the State has the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons (this includes protection from displacement, protection during displacement and protection during return, resettlement and/or reintegration).

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<sup>1</sup> These Guidelines were approved by the Inter-Ministerial Committee on Human Rights in October 2006 and shared with the LTTE by UNHCR through the Co-Chairs to the peace process.

The guidelines envisage a two-pronged approach:

- Through effective protection monitoring and interventions, stabilise the IDP population and build confidence between communities on the one hand, and between the communities, the civil administration, the armed forces and the law enforcement agencies on the other; and
- Ensure restoration of necessary infrastructure and services in places of return to enable the IDPs to return voluntarily and resettle.

This first objective will be conducted in support of and in collaboration with the Government of Sri Lanka, with the Government taking the lead to ensure that the armed forces and law enforcement agencies provide protection and other assistance to the displaced population. UNHCR will provide support by identifying the needs and security concerns of displaced communities, raising them with the Government. UNHCR will also discuss the issues pertaining to IDPs with the non-State actors involved in the conflict to create a conducive environment for IDPs to return and resettle, and facilitating communication between them and the displaced.

The second objective will bring in other humanitarian actors, along with UNHCR, the Government of Sri Lanka and the non-State actors involved in the conflict, to ensure the restoration of necessary infrastructure and services in places of return.

As the overall objective is to stabilise the IDP population until conditions are conducive to return, the activities described below are to be carried out in the short and immediate term with the expectation that voluntary return will increase over time, while confidence-building measures are positively impacting on them.

These guidelines will be implemented in the North and East and other areas as necessary. UNHCR and its partners call on the Government of Sri Lanka and non-State actors involved in the conflict to facilitate the activities outlined in these guidelines responsibly and in a timely manner.

### III. POLICY GUIDANCE

The following operational framework is set against the context described above and is rooted in several key principles governing the rights of the displaced, including:

- The right to safety and State protection in the place of origin (it is the duty of the Government of Sri Lanka and the non-State actors involved in the conflict to prevent and avoid conditions that might lead to displacement).
- The right to freedom of movement and to seek safety and State protection elsewhere in the country.
- The right to be protected against forcible return or resettlement in any place where they could be at risk.
- The right to return voluntarily in safety and dignity (it is the duty of the Government of Sri Lanka and the non-State actors involved in the conflict to establish conditions and provide means which allow IDPs to return).
- The right to restitution, meaning the right to have restored any housing, land and/or property of which they were unlawfully or arbitrarily deprived, or to be

compensated for any housing, land and/or property that it is factually impossible to restore.

- While the protection and assistance needs of all affected civilian populations, are of primary importance, armed conflict has a particular impact on women and children, as well as on other civilians who may have specific vulnerabilities.
- The human rights of all children in all situations must be upheld and promoted, in accordance with the principles affirmed in the Action Plan for Children Affected by War, to address the needs of war-affected children and cease recruitment of children as combatants.
- UNHCR and its partners (international community and national organisations, including civil society), in accordance with international human rights and humanitarian law reaffirm that:
  - The Government of Sri Lanka and non-State actors involved in the conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians and to ensure that IDPs are not used as tools of the conflict.
  - Deliberately targeting civilians and other protected persons in situations of armed conflict is a flagrant violation of international humanitarian law, and any such practices should be condemned in the strongest terms.
  - Ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict. Towards this end the State must prosecute those responsible for human rights abuses, war crimes, genocide and crimes against humanity.

#### IV. OPERATIONAL FRAMEWORK

Guidance notes:

- The return and reintegration process should be led by the Government with UNHCR supporting the process. Restitution of housing, land and property should be an integral part of this process.
- The return, restitution and reintegration process should be based on the policy of the Government with regard to the return, restitution and re-integration, fundamental rights of IDPs, ensuring return is entirely voluntary, dignified and safe, and with the recognition of the right of persons to remain in their place of displacement, until they feel comfortable to leave, and to continue to benefit from basic assistance therein.
- It is essential that the confidence building and stabilisation measures be implemented with a sense of urgency and that the parties lead the process of building the confidence of the displaced communities, thereby instilling stability within the population.
- The formation of IDP representation groups is essential as participation, inclusion and a sense of ownership will ensure return is rooted in the desires of the community. Natural village leaders, including elders and religious leaders, must be included in the process for these same reasons.
- Assistance should be delivered through a community-based approach and should be inclusive of all populations in the affected areas (Sinhalese, Tamil and Muslim).

## V. IMPLEMENTATION OF THE GUIDELINES ON CONFIDENCE BUILDING AND STABILISATION MEASURES FOR IDPs IN THE NORTH AND EAST

### OBJECTIVE I: Stabilisation and Confidence Building Measures

- Comprehensive Assessment

- Population Profile and Registration

Data gathering amongst those communities newly displaced will be undertaken to ascertain the number of displaced persons, the places of origin, the main obstacles to return and the willingness to return. The aim will then be to cluster communities together and address their needs as a group. A comprehensive registration of the displaced will be coordinated by the Ministry of Nation Building and the GAs. UNHCR and its protection partners will provide support when and where requested.

- Village Profile

A rapid village assessment will be conducted in parallel in the villages of origin, and will aim to identify the more significant security and infrastructure needs. This will provide a solid information base to answer questions from IDP communities as they decide when and how to return. The information obtained through the village assessment will include numbers of houses and other infrastructure in need of repair as well as any other issues in support of a successful and sustainable return to normality.

- Confidence Building

Confidence building is likely to be the most essential aspect to ensuring successful and sustainable solutions, provided that security concerns are effectively addressed. Significant gaps still exist in the capacity of the armed forces, the local law enforcement agencies and the non-State actors involved in the conflict in providing effective protection; therefore it is of the highest importance that confidence be fostered so that communities feel grounded and secure as well as certain that a viable system of law and order is functioning. While the Government is primarily responsible for the safety and welfare of all its citizens, it is important to cultivate a sense of stability and safety for communities and address any prevailing negative perceptions and fears that exist among IDP communities.

- Protection Monitoring

UNHCR, in collaboration with its protection partners, will support the Government in providing assistance and ensuring access to national protection mechanisms, including the Human Rights Commission and domestic legal system and monitor this process. UNHCR and its protection partners will monitor and analyse information on displacement, provide periodic reports on protection of IDPs and advocate for short-term as well as durable solutions for IDPs in line with international standards.

- Formation of IDP Advocacy Groups

UNHCR, in coordination with Government authorities, will identify respected community leaders within displaced populations. The safe and reliable transmission of information to and from the displaced is tremendously important in building trust and confidence. Identifying those persons whom the community trusts will help to ensure that the choices of the displaced are accurately communicated to the parties, and that any assurances or messages from the parties are effectively communicated to the displaced through a trusted intermediary. The Government and non-State actors involved in the conflict should also endeavour to ensure that these community leaders are protected and are able to move freely in order to communicate and consult with displaced populations.

- Strengthening of Peace Committees

UNHCR, in collaboration with Government authorities and its protection partners will take steps to facilitate the Government in strengthening existing Peace Committees and to establish Peace Committees where they do not currently exist. These steps may include convening meetings, identifying community leaders and facilitating discussions. Peace Committees, in collaboration with local Government authorities, can assist in identifying local solutions to the safety and security of IDPs.

- “Go and See” Visits

UNHCR will facilitate “go and see” visits for IDP community leaders who wish to investigate the current situation in their home communities. This activity will allow leaders to return for short periods of time in safety to verify the security situation and provide information to the displaced as they plan for the future and make their own voluntary decisions relating to return.

- Community Meetings

In special cases, “town hall” meetings will be arranged. Village leaders (Grama Niladharis) together with the Government Agents (GAs), Divisional Secretaries, Police and all concerned parties will use these meetings as a forum to discuss the issues pertaining to the displaced. The armed forces may also be involved in these meetings where appropriate.

- Human Rights Education

Recognising the important role that education can play in supporting efforts to halt and prevent abuses committed against civilians affected by armed conflict, in particular efforts to prevent sexual exploitation, trafficking in humans, and violations of applicable international law regarding the recruitment of child soldiers, the Government and non-State actors involved in the conflict will develop comprehensive human rights training programmes, including on the rights of IDPs. Local and international agencies with expertise in humanitarian and human rights law, such as ICRC, can provide assistance in the development and implementation of such programmes. These programmes will be offered to a variety of actors at different levels of the Government administration so as to ensure maximum effect, and will build upon existing training programmes. UNHCR, in collaboration with the Ministry of Disaster Management & Human Rights will facilitate and support the development and implementation of human rights education programmes.



- **Civil-Military Liaison Committees (CMLCs)**

The Government will strengthen existing civil-military liaison committees (CMLCs), formed after the tsunami, and establish CMLCs where they do not currently exist, in particular in the districts of Jaffna, Vavuniya, Mannar, Trincomalee, Batticaloa and Ampara. The CMLCs will have the following objectives: (i) to improve communication between the civilian and the military community through regular meetings to discuss issues of mutual concern; (ii) to build confidence between the civilian and military communities; (iii) to facilitate the free passage of humanitarian personnel and humanitarian and development assistance to civilians in need of assistance.

- **Effective Communication Strategy**

The Government will develop an effective communication strategy, available in each of the official languages, to ensure that Government messages are communicated efficiently and effectively so as to minimise misinformation and to ensure that all communities are aware of Government policies, programmes, and their entitlements there under. UNHCR and its partners will support this programme.

- **Monitoring and Reporting of Confidence Building Measures**

The UN and other relevant agencies will monitor the implementation of these confidence building and stabilisation guidelines and report to the Government of Sri Lanka best practices and lessons learned, through the IDP Coordinating Committee chaired by the Minister of Disaster Management and Human Rights.

- **Movement**

Once the decision to return is made by an IDP, the assurance of safety must be established prior to facilitated return, which can only be guaranteed by the Government of Sri Lanka and non-State actors involved in the conflict. People seeking to return can be assisted by UNHCR in collaboration with other aid agencies. Previous experience, however, shows that most people will return by their own means.

- **Protection (Physical Security)**

- **Short Term**

- **Community Policing**

To build confidence, ways should be found to assert the primary role of the police in providing security to communities. The use of community policing techniques should therefore be strengthened, building upon existing practices including: training of police personnel in community relations and mediation, revitalisation of community networks, strengthening of mechanisms for community/police liaison, and improved accessibility to police through regular visits to villages. A key issue will be to continue the Government's efforts to deploy adequate numbers of Tamil speaking officers, as well as the availability of officers specialised in working with women and children. Care must also be taken to ensure security arrangements are provided through the regular policing system. UNHCR and its partners will support this effort.

- Arrest Guidelines

UNHCR and its partners recognise and support the important directive issued by the President of the Republic to the Security Forces and Police to work closely with the Human Rights Commission and to implement certain guidelines in connection with arrest and detention. The Presidential Directive is incorporated into these guidelines. The effective and efficient implementation of these guidelines will assist in fostering public confidence in the armed forces and the police and help to create the conditions conducive to a successful and sustainable return. UNHCR and its partners will support the Inter-ministerial Committee on Human Rights to ensure full implementation of the directive.

- Strengthening of the Human Rights Commission

The Government will continue to strengthen the capacity of the Human Rights Commission (HRC), both in terms of human and financial resources, to carry out its independent investigative and reporting functions. There is also a need to strengthen communication and support between the regional offices and the central HRC office in Colombo. The Government will ensure that the HRC is empowered to conduct its investigations and inquiries, and to make its reports public. It is noted that effective human rights oversight mechanisms such as the HRC can promote not only individual responsibility to be taken for serious violations of fundamental rights, but also peace, truth, reconciliation and the rights of victims. The UN and other international agencies will forge stronger links with the HRC and support it with resources.

- Legal Aid Centres

Where necessary, temporary mobile legal aid clinics will operate in places of displacement and return villages, offering an outlet for returnees to register concerns or complaints. This will be done in close coordination with the Legal Aid Commission. Documented concerns will be compiled and brought to the attention of the Human Rights Commission.

- Freedom of Movement

In accordance with necessary security measures, the Government of Sri Lanka and non-State actors involved in the conflict will ensure freedom of movement of civilians and humanitarian agencies. Freedom of movement is integral for the delivery of humanitarian assistance, the restoration of livelihoods and the return to normality.

- Provision of Assistance in Places of Displacement

All IDPs have the right to an adequate standard of living. As stated in the Guiding Principles on Internal Displacement, at the minimum, and without discrimination, the Government should provide IDPs with and ensure safe access to essential goods and services including food and water, basic shelter, clothing and essential medical services and sanitation. In collaboration with the Government and non-State parties involved in the conflict, humanitarian organisations will ensure that essential goods and services are provided in places of displacement, where return is not feasible in the short to medium term.

- Long Term
  - Return Monitoring
 

UNHCR and its protection partners will ensure that return monitoring is conducted on a regular basis. Places of return will be visited and basic needs routinely assessed and responded to.
  - Promotion of Good Governance
 

Workshops with the Government law enforcement bodies will be held to reinforce best practices relating to good governance, law and order. Systematic human rights education of armed forces, law enforcement officials and decision-makers and effective communication strategies are also an important means of reinforcing good governance and respect for law and order. UNHCR and its partners will support this process.

## OBJECTIVE II: Restoration of Services and Community Building

- Return (Material Assistance)

- Short Term
 

Upon arrival, a package of essential non-food items will be provided to all returnees. The items in the “return kit” will be provided through collective resources from UNHCR and its partners. In addition, all returnees with compensation claims will be assisted to identify their entitlements and proceed with their claim. In this regard, the Legal Aid centres mentioned above will assist the affected communities.

- Restitution and Compensation
 

Restitution of housing, land and property is the preferred remedy for displacement. A cash reimbursement programme by the Government is expected to provide assistance to IDPs to restore and repair damaged property, including their homes and businesses. This restitution scheme could take the form of comprehensive victim’s rights legislation, or could function as an administrative directive. It must be initiated in consultation with civil society, particularly those groups working with different categories of victims.

The Government will implement an equitable assistance scheme, accompanied by a comprehensive public information campaign to ensure that all communities are made aware of their entitlements and the application procedures. The Government will also ensure that the application procedures are available, accessible in all national languages and will undertake outreach programmes to ensure that all communities, including those located in isolated areas, are empowered to make claims.

- Quick Impact Projects (QIPs)
 

To restore destroyed infrastructure and/or assist with community projects, a series of quick impact projects (QIPs) are being implemented by UNHCR and its implementing partners. UNHCR’s QIPs programme is aimed at directly assisting

communities in order to facilitate return, promote stability and ease ethnic tensions, thereby assisting the rebuilding of communities and a peaceful future.

- Restoration of Livelihoods

The authorities and relevant development actors will develop and implement programmes to develop, restore and strengthen sustainable livelihoods for the affected population and surrounding communities.

- Long Term

Village infrastructure repair schemes will be established and presented to the Government for consideration. Additionally, UNHCR in coordination with the UNDP Transition Programme and other development actors will evaluate the possibility of repairing public infrastructure such as schools, health clinics, access roads, etc. working with the Government of Sri Lanka.

- COORDINATION

Since coordination of humanitarian assistance for IDPs is a mandate given to the Ministry of Disaster Management and Human Rights, UNHCR is already working in collaboration with the Ministry at the central level and with the Area Task Force (ATF) led by the Governor of the North and East Provincial Councils and other areas where there are conflict IDPs. UNHCR, in collaboration with its partners in the field, is coordinating the humanitarian response to the recent displacement to ensure targeted, effective and efficient delivery of assistance. Policy decisions and major assistance programmes will be endorsed by the Government so as to ensure full understanding by the international aid community and the Government.

- MECHANISMS FOR DURABILITY

Through a participatory approach that empowers affected communities, the displaced will become active participants in the identification, design and implementation of reconstruction activities. As a result of effective communication between displaced communities and the Government and non-State actors involved in the conflict, as well as through meaningful participation in the development of policies and programmes, affected populations will progressively regain confidence.

The success and sustainability of any return will be supported and solidified by ensuring that any peace process, peace agreement and post-conflict recovery and reconstruction planning has regard for the special needs of women and children and includes specific measures for the protection of civilians including: (i) the cessation of attacks on civilians; (ii) the facilitation of the provision of humanitarian assistance; (iii) the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of IDPs; (iv) the facilitation of early access to education and training; (v) the strengthening of the rule of law; and, (vi) a check on impunity.

- HUMANITARIAN ACCESS

In accordance with international humanitarian law, all parties should allow full unimpeded access by humanitarian personnel to civilians in need of assistance, and to make available,

as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel.

**IX. COMMITMENT OF THE GOVERNMENT OF SRI LANKA AND NON-STATE ACTORS INVOLVED IN THE CONFLICT**

UNHCR and its partners call on the Government of Sri Lanka and non-State actors involved in the conflict to facilitate the activities outlined in these guidelines responsibly and in a timely manner. Guided by international humanitarian and human rights law principles, including the *Guiding Principles on Internal Displacement*, the proactive engagement of the Government and non-State actors involved in the conflict in support of the measures outlined in these guidelines will assist in stabilising the IDPs. UNHCR and its partners therefore call on the Government and non-State actors involved in the conflict to protect and promote human rights while working towards finding durable solutions to the problems of the displaced.



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Ministry of Disaster Management  
and Human Rights

**Action Plan for Confidence Building  
& Stabilisation Measures  
For Internally Displaced Persons (IDPs)  
In the North & East of Sri Lanka**

November 2007

## 1. BACKGROUND

In October 2006, a set of Confidence Building and Stabilisation Measures (CBSM) Guidelines, based on the *Security Council Resolutions Related to Civilians in Armed Conflict* and the *Guiding Principles on Internal Displacement*, were approved by the Inter-Ministerial Committee on Human Rights.

These guidelines propose a vision that will seek to promote measures by which the Ministry of Disaster Management and Human Rights (MDMHR) and the United Nations High Commissioner for Refugees (UNHCR), together with relevant government stakeholders and international organisations, work jointly towards the following measurable strategic objectives:

1. Stabilise the protection situation, improve the current living condition of the displaced population and build confidence between communities and the civil administration, the armed forces and law enforcement agencies.
2. Promote a conducive and sustainable environment enabling the voluntary, safe and dignified return and reintegration of IDPs.

Following a series of workshops on the CBSM guidelines, the following five themes were endorsed and adopted by MDMHR and relevant government stakeholders. The themes are intended to build trust and foster dialogue among the affected population in the North and East of Sri Lanka.

- Civil-Military Liaison Committees (CMLC)
- Human Rights
- Community Involvement in Implementing the CBSM Guidelines
- Reconstruction and Assistance
- Compensation and Effective Communication Policy

In this Action Plan these themes are reformulated into particular areas of intervention. Through these areas of intervention the Guidelines' objectives can be translated into prioritised and measurable result oriented activities.

The first of the Guidelines' objectives aims at setting the environment for confidence and dialogue, ensuring that the concerns, needs and intentions of the affected populations are voiced and addressed. It also seeks to promote a protected environment through the understanding and dissemination of Human Rights Laws and international standards. The areas of intervention that fall under the first objective are:

- Civil Military relations
- Capacity building and training
- Communication
- Community involvement

The second of the Guidelines' objectives aims at setting an environment conducive to sustainable return and reintegration. The activities that fall under this objective are:

- Population and village profiling
- Reconstruction and livelihoods options
- Restitution and compensation

## **2. CBSM PRINCIPLES AND CRITERIA FOR INTERVENTION**

Implementation of the CBSM activities is to be Rights-based, consistent with humanitarian principles of humanity, neutrality and impartiality. Consequently, the following must be taken into consideration by implementing parties:

- Engagement of the affected communities through a participatory procedural approach
- Vulnerability of particular groups
- Gender mainstreaming and gender balance
- Ethnic equity
- Collaborative partnerships involving stakeholders at all levels
- Activities aimed at reducing dependency on humanitarian assistance programmes
- Strengthening local ability to plan and implement their own programmes

## **3. STRUCTURE OF THE CBSM ACTION PLAN**

The Action Plan is an integral part of the CBSM Guidelines. It defines the overall framework and criteria for intervention and provides a base from which progress can be measured.

This plan is divided into two sections:

- a) Defines the management and coordination structure of CBSM at the National and District level.
- b) Describes the specific areas of intervention.

The changing operational environment of the North and East of Sri Lanka will necessitate careful and continuous revision of the Action Plan so that it reflects and adapts to the new realities on the ground.

In line with the values of transparency and accountability, and to ensure that it can be disseminated to the affected population, it is recommended that the Action Plan be translated into Sinhala and Tamil.

## **4. CBSM OPERATIONAL AND COORDINATION STRUCTURE**

### **a) National Level**

#### **CBSM National Steering Committee**

The CBSM National Steering Committee is to generate, coordinate and sustain the momentum of the CBSM by ensuring that the Action Plan is both implemented and evaluated at the National and District Level.



Reporting to the Minister of Disaster Management and Human Rights, the Steering Committee is responsible for the overall coordination of the CBSM project, including the following tasks:

- Review and agree on planning principles.
- Review and agree on the planning process, timelines and outcomes.
- Ensure the appropriate process and structures are in place to guide CBSM activities.
- Review all reports and presentations from the District field level, as required.
- Formulate new policies based on lessons learnt from the field.
- Communicate the implementation progress of the CBSM to all relevant stakeholders.

### National CBSM Management Unit

The MDMHR is to assist the CBSM Steering Committee to carry out the mandate given to it. A National CBSM Management Unit tasked to oversee the implementation and monitoring of the different activities and to report to the Steering Committee is to be established under MDMHR, with the assistance of UNHCR. The Unit will include the MDMHR Secretary, the Additional Secretary and an Administrator. The National CBSM Management Unit will liaise with line agencies, departments and provincial ministries and UNHCR Field Offices to promote and coordinate implementation efforts. The Unit will also provide necessary logistic and other resource support to the Steering Committee and the structures established to carry out CBSM project activities. In addition, it will serve as a channel of communication to coordinate all project activities of CBSM with the relevant stakeholders

In the initial stages of implementation (see Phase I below), the National CBSM Management Unit will also be tasked to organise and manage the recruitment and deployment process of the District CBSM Management Units in the field, provide support to the MDMHR in setting up the District CBSM Management Units and liaise with relevant organisations and individuals to secure sites and procure resources for the District CBSM Management Units.

### b) District level

#### CBSM District Steering Committees

CBSM Steering Committees are to be established in each District to monitor and evaluate the implementation of CBSM in their respective Districts.

#### District CBSM Management Units

CBSM Management Units are to be established by the MDMHR in each District to coordinate the implementation of CBSM at the District level. The Management Units are to be composed of a CBSM Field Coordinator, an Associate Field Coordinator and a Field Officer. To avoid duplication of efforts, CBSM Management Units will play a catalyst role and ensure a harmonised approach with the existing Divisional and District level coordination meetings.

#### UNHCR CBSM Focal points

UNHCR CBSM focal points are to be established at Field Office level. The focal points will be the point of contact with the MDMHR CBSM Management Unit; they will ensure a coordinated and integrated approach to problem solving and will support progress

implementation. Within UNHCR, the focal point will be responsible for reporting on CBSM activities.

## **5. CBSM AREAS OF INTERVENTION AND OPERATIONAL STRATEGY**

The annexed Implementation Table represents a revised version of the “Log frame” annexed to the Action Plan produced in June 2007. The Implementation Table identifies the specific objective relevant to each of the areas of intervention and lists the activities to be undertaken in order for that objective to be reached.

### **Refer to the Table of Implementation: Annex 1**

The long term goal for CBSM is to create an environment where confidence and dialogue will support and enhance lasting solutions for the IDP Population in the North and East. Each activity will aim at promoting this environment. It is envisioned that this goal will be achieved in two broad phases:

#### **a) Phase I: September- December 2007**

The objective of the first phase is to put in place the “operational structure” of the CBSM framework, in terms of resources and coordination mechanisms both at National and District level.

#### **b) Phase II: 2008-2010**

This second phase will initially focus on interventions aimed at addressing the most immediate needs in areas of displacement and return by providing physical, legal and social protection to the affected population. In order for these interventions to have a confidence building effect, they must have an immediate and visible impact on meeting the basic needs of the affected population.

Continued efforts will be made to stabilise the IDP situation by improving their living and protection environment. In areas where return has taken place, mechanisms to link early recovery projects to long-term development will be implemented through an integrated approach with relevant stakeholders. It is recommended that all activities aimed at addressing lasting solutions for the affected populations in the North East be coordinated under the CBSM framework.

## **6. MONITORING AND EVALUATION**

At the National level the Steering Committee is to be the central monitoring body for CBSM. Both MDMHR and UNHCR will report on the implementation of CBSM directly to the Steering Committee. The monthly IDP meeting chaired by MDMHR will also provide an important National level forum for monitoring and evaluating the implementation of CBSM.

At the District level, the UNHCR CBSM focal points, in collaboration with their MDMHR Management Unit counterparts, will play a pivotal role in providing information on the implementation of CBSM. To this end, CBSM will be mainstreamed within UNHCR’s existing reporting structure.

## 7. CONCLUSION:

Confidence building and stabilisation measures require an integrated and collaborative response at a holistic level. This means ensuring strategic partnerships exist between initiatives aimed at promoting lasting solutions for the internally displaced and returnees. CBSM is to be understood and promoted as a strong catalyst framework that aims to embrace and enhance the positive initiatives that are taking place in many affect areas.

Durable solutions can only be achieved when internally displaced and returning populations participate in their own effective re-integration into society. In this regard, the CBSM framework will engage with the IDPS and returnees as persons, not just as passive beneficiaries.

## CBSM ACTION PLAN – IMPLEMENTATION TABLE

Focus	Objectives /Activities
1. CBSM Management and Coordination.	<b><i>Ensure coordination, transparency, accountability and verifiability on implementation progress.</i></b>
	1.1 Revive the CBSM Steering Committee at the national level to act as the principle coordination body for CBSM. 1.2 Develop Steering Committee Terms of Reference. 1.3 Replicate Steering Committees at the district level. 1.4 MDMHR to recruit 4 Coordinators, 4 Ass. Coordinators and 4 Field Officers to be deployed at the district level. 1.5 Monitor the implementation of CBSM and make use of the IDP Coordination Committee and the CCHA to report implementation progress to the relevant stakeholders.
2. Civil-Military Relations.	<b><i>Foster dialogue and trust between the civilian community, district administration and the security forces (including the STF) to reduce tension and build an understanding of each others concerns.</i></b>
	2.1 Establish a working group for the joint development, between MDMHR, MOD, and relevant Humanitarian Actors, of Civil–Military Principles appropriate to the context of the conflict in Sri Lanka. 2.2 Establish Civil Military Liaison Committees at the district level.
3. Capacity Building and Training.	<b><i>Build a protected environment through the promotion of good governance and the development of a coordinated training strategy on international laws and standards.</i></b>
	3.1 Establish a working group at the national level to include military Directors of Training, MOD, STF, UNHCR, UNICEF, OHCHR and the Donor Community. 3.2 The working group to be mandated to develop and implement a comprehensive training plan for the delivery of IHL/HR/LOAC to the Sri Lankan Armed Forces, law enforcement agencies (including the STF) and civil administration, and to provide a responsive and flexible means of addressing training issues as identified. 3.3 Strengthen the Human Rights Commission and encourage increased communication between its regional offices, with the public, the UN and other international agencies.
4. Communication.	<b><i>Linked to the “Promoting Security and Safety” MDMHR programme and existing NGO initiatives, ensure a harmonised communication strategy in all affected areas.</i></b>
	4.1 Develop a new communication strategy that will: - Increase information dissemination on government policies/programmes to IDPs and Returnees, in all official languages, through the broadcast network, press and educational seminars. - Provide information to host and neighbouring communities about IDP issues, aiming to foster dialogue and reduce

	<p>tension between the communities.</p> <p>- Create a campaign of RIGHTS for all, inclusive of the host communities.</p>
5. Community Involvement.	<p><b><i>Engage the community through a bottom up approach to CBSM ensuring that the concerns, intentions and needs of the affected population are voiced and addressed</i></b></p> <p>5.1 Within the existing coordination mechanisms at the district level, mainstream solution orientated community meetings.</p> <p>5.2 Identify and strengthen existing IDP and Returnee Advocacy Groups. Promote and establish such groups where they do not exist.</p> <p>5.3 Provide these Advocacy Groups with adequate information on rights and entitlements and where necessary, provide temporary mobile legal aid clinics where IDPs and returnees can register complaints and concerns.</p> <p>5.4. Identify and strengthen existing Peace Committees and promote and establish such Committees where they do not exist.</p> <p>5.5. Arrange and coordinate with relevant stakeholders solution orientated “go and see” visits for IDP representatives to their places of origin.</p>
6. Population and Village Profiling.	<p><b><i>Through a comprehensive assessment of the affected population, understand the displacement context and work towards durable solutions.</i></b></p> <p>6.1 Enhance existing IDP and returnee registration and population profiling and implement new data collection mechanisms where necessary.</p> <p>6.2 Conduct assessments in villages of origin and create village profiles detailing conditions of return.</p> <p>6.3 Analyse obstacles for a durable solution, with a view to removing these obstacles.</p>
7. Reconstruction and Livelihood Opportunities.	<p><b><i>Restore and strengthen necessary infrastructure, public services and livelihood opportunities in affected areas to stabilise population movement and facilitate the creation of lasting solutions.</i></b></p> <p>7.1 Ensure non-discriminatory access to basic services such as water, sanitation, health and hygiene.</p> <p>7.2 In the short term, restore destroyed infrastructure and/or assist with community projects by implementing quick impact projects (QIPs) in affected areas.</p> <p>7.3 In the long term, develop and implement village infrastructure repair schemes.</p> <p>7.4 Develop and implement programmes to promote economic self-reliance and income generating activities.</p>
8. Restitution and Compensation.	<p><b><i>Ensure restitution and compensation for housing, land and property affected by the conflict to enable voluntary and sustainable return and reintegration.</i></b></p> <p>8.1. In consultation with the affected communities, develop and implement a restitution and compensation scheme.</p> <p>8.2. Establish mechanisms for resolving land and property disputes.</p>

**Operationalising the Guidelines  
on Confidence Building and  
Stabilisation Measures for  
Internally Displaced Persons in  
the North and East**

**- Final Report -**

## WORKSHOP ON OPERATIONALISING THE GUIDELINES ON CONFIDENCE BUILDING AND STABILISATION MEASURES (CBSM)

*19 December 2006, at Cinnamon Grand Hotel*

### PURPOSE & OBJECTIVES OF THE GUIDELINES ON CBSM

Recognising the need for initiatives to build confidence amongst affected communities, between displaced and host communities, and between civilians, the security forces and law enforcement agencies, the Government of Sri Lanka, through the Ministry of Disaster Management and Human Rights (MDM&HR), with the support of UNHCR and its partner organisations, has drafted detailed Guidelines on Confidence Building and Stabilisation Measures (CBSM) for IDPs in the North and East. These Guidelines have the following objectives:

1. Stabilise the IDP population and build confidence between communities on the one hand, and between the communities, the civil administration, the armed forces and the law enforcement organs on the other; and
2. Ensure restoration of services in villages and towns of return.

### OBJECTIVES OF THE WORKSHOPS

This report highlights key recommendations made by both Government and non-government stakeholders at a workshop that took place on 19 December 2006 on Operationalising the Guidelines on CBSM; it was the final workshop in a series of three. The aim of the workshop was to bring together Government, UN and non-governmental actors to develop a collaborative plan of action for implementing the Guidelines on CBSM.

The Guidelines on CBSM were approved by the Inter-Ministerial Committee on Human Rights in October 2006 following broad consultations with key Government stakeholders, including: the ministries of DM&HR, Foreign Affairs, Defence (including the three Forces and the Police), Nation Building and Estate Infrastructure Development, and Resettlement, the Secretariat for Coordinating the Peace Process was also consulted.

A series of three workshops were planned in order to consult relevant stakeholders and to develop a realistic plan of action for operationalising the Guidelines. At the first workshop, on 8 November 2006, the MDM&HR brought together key Government stakeholders (including the aforementioned Government ministries) and local Government officials. The second workshop on 21 November 2006 brought together I/NGO and UN actors. At the third workshop both groups of stakeholders gathered to discuss and agree on key recommendations.

Participants in all three workshops were asked to:

- Break into five thematic working groups in order to discuss the Guidelines and the activities outlined therein with a view to developing a plan of action for implementing policies, programmes and activities in support of (i) stabilising

affected populations, (ii) confidence building between communities and between communities and the authorities, (iii) providing assistance in places of displacement and places of return and, (iv) ensuring restoration of services in places of return. Participants broke into the following five working groups:

- Civil-Military Liaison Committees (CMLCs)
  - Human Rights
  - Community Involvement in Implementing the CBSM Guidelines
  - Reconstruction and Assistance
  - Compensation and Effective Communication Policy
- Identify interested agencies and institutions that are implementing the activities outlined in the Guidelines or with the mandate and/or capacity to implement them.

A Summary Report - highlighting the recommendations of the first and second workshops - was compiled in order to facilitate discussions at the third and final workshop.

#### SUMMARY OF OPENING ADDRESSES

Minister of Disaster Management and Human Rights, Hon. Mahinda Samarasinghe opened the third workshop by addressing all participants. He highlighted that the two earlier workshops resulted in very significant and clear recommendations. He stated that this third workshop is important to identify common ground; this will lead to the development of a comprehensive plan of action.

Minister Samarasinghe proposed that a national CBSM committee, chaired by the MDM&HR be formed. He stated that he is happy to chair such a committee, which would work at the policy level in coordination with Government and non-government stakeholders (the Hon. Minister suggested that the Governor of the North and East attend the national level CBSM committee). Minister Samarasinghe stated that district level CBSM committees, even going down to village level should be formed and that a quarterly review process would enable continued assessment of progress. He stated that these were some of the issues that working group members could address in their deliberations.

The Hon. Minister called for a national plan of action based on the recommendations made by the two groups of stakeholders. The conclusions reached can then be taken forward by a group of experts as this project requires dedicated focus. The Hon. Minister asked UNHCR to take forward the task of assisting the committee by identifying consultants who would be involved in developing a national plan of action. He stated that a strategy should be put in place as a matter of urgency to help the conflict affected communities.

Minister Samarasinghe reiterated that H.E. the President is fully committed to the CBSM strategy. He also stated that the MDM&HR is steering this project but it is important that Government partners such as the Ministry of Resettlement, Ministry of Nation Building and Estate Infrastructure Development, Ministry of Defence, the Secretariat for Coordinating the Peace Process (SCOPP) and all Government Agents are all fully involved and committed. The Hon. Minister stated that he believes in this initiative; that is why he has taken such a personal interest in taking it forward.



Amin Awad, Representative, UNHCR, thanked Minister Samarasinghe and officials of the MDM&HR. He also thanked the ministries and GAs with whom UNHCR works on a daily basis. Mr. Awad stated that the two workshops held previously were important in terms of mapping out grey areas and finding common ground. He added that the conclusions reached during this meeting would form the basis in terms of the next steps to operationalise the concept of CBSM. He concluded by stating that the UN Country Team and UNHCR are committed in assisting the Government to ensure that this initiative is brought forward.

## WORKING GROUP DISCUSSIONS

*The following summaries of Working Group discussions are based on recommendations made by the respective Groups and the feedback given to the plenary.*

### WORKING GROUP ON CIVIL-MILITARY LIAISON COMMITTEES (CMLCs)

- The Working Group agreed with the recommendations in the Summary Report.
- Thought needs to be given on how to decrease the mistrust that exists between communities and the military. CMLCs may help decrease mistrust but they need to exist on a number of levels and include IDPs/IDP representatives.
- The Working Group agreed that CMLCs are a good idea; they exist informally but need to be formalised. In some places, CMLCs may exist on an ad hoc basis. Structure, terms of reference and regular meetings are needed. The security forces can also use the forum to raise the concerns they have; there is a need to build bridges.
- Mannar was mentioned as one of the districts where civil-military liaison has worked well.
- The Group spoke of the recent visit of British military officials to Sri Lanka during which the British military's doctrine of CIMIC (Civil-Military Co-operation) was discussed. The delegation also went on mission to Mannar to observe civil-military liaison. One of its findings was that there is no doctrine/policy on civil-military relations at the national level. (The UK Government representative in the Working Group reiterated that the UK is willing to offer its assistance in developing such a doctrine).
- The Group recommended that CMLCs are not just about setting up a structure but rather about understanding the key problems and identifying a structure/mechanism that can combat these problems.
- However, participants agreed that the very creation of CMLC structure can lead to the building of trust.
- A major issue is lack of trust - people may view the civil-military liaison person as trying to obtain intelligence. Also people are fearful and do not want to voice their concerns.
- The structure proposed could be a channel for better communication. Peace committee heads also need to be involved; otherwise parallel structures will be created.
- CMLCs will also have a role to play in village assessments - to determine whether the area is safe for people to return.
- There may be need for workshops to explain the concept and the proposed structure.

- It was noted that two clear mechanisms exist - the Consultative Committee on Humanitarian Assistance (CCHA) and the IDP Coordination Meeting - civil-military relations are covered by both these mechanisms, and issues around access, humanitarian needs, and rules and regulations are already being addressed.

*General Recommendations on Structure of CMLCs:*

- **Village level** - members: Grama Sevaka (GS), grass roots organisations, police officer in charge, security force representatives, IDP representatives and village rehabilitation committees, CBOs, religious/community leaders - this committee can input into village assessments, (chair GS).
- **Divisional level** - members: Divisional Secretary (DS), Military Officer, Police representative, all divisional Grama Sevakas, IDP representatives, civil society representatives working in the areas (chair DS). The Working Group recognised that due to security concerns senior military commanders cannot attend such a committee meeting. However, at the plenary session it was agreed that where possible, senior military commanders should attend; if the security situation does not permit this they should send a representative.

*Mandate: to address concerns and grievances, information sharing, humanitarian needs, protection issues, relationship building, village assessments. (These two committees - village and divisional - could co-opt as they wish depending on local circumstances).*

- **District level** - members: UN/I/NGO representatives, Security Forces, Police, all DS, IDP representatives (chair GA).
- **National level** - members: Ministries of DM&HR, Defence, Resettlement, Nation Building and Estate Infrastructure Development, Foreign Affairs, Police, civil society, NGOs and UN agencies. (chair Minister of DM&HR). Donors to be included for consultation/engagement. The Governor of the Provinces could also be included at the national level. A key issue is that there is no policy/doctrine at the national level; this needs to be created (CIMIC - civil-military relations doctrine needs to be developed, it is up to the military to decide on this, but the adoption of such a doctrine would involve the training of civil-military affairs officers).

*Mandate: humanitarian needs, protection of IDPs - at the national policy level.*

Recommendation by Working Group: Use existing mechanisms where they exist and set them up where necessary.

Hon. Minister Samarasinghe suggested that Canadian CIDA's and the UK's expertise in this area be used in developing an action plan and a model based on best practice.

## WORKING GROUP ON HUMAN RIGHTS

The Working Group made the following recommendations/comments:

- There is a commitment to a normative framework on human rights by all stakeholders.

- An attempt should be made to integrate the normative framework of the Guidelines on CBSM into codes of conduct, legislation and operational procedures.
- These standards can be implemented through a variety of mechanisms.
- Civil-military liaison committees can assist in the implementation of human rights as problems arise due to mistrust between parties - for example, a military post may refuse an injured person access to an area despite this violating the human rights of the injured.
- Training based on human rights law and humanitarian law is necessary for all NGOs, the Armed Forces and Government institutions.
- Training alone is not enough: if parties do not agree to respect human rights then trainees will not have the opportunity to practice what they have been trained.
- Capacity to respond to humanitarian crises and emergencies should also be addressed by introducing coordinating mechanisms.
- There is a need to build trust between and amongst the different communities.
- There is a need for a structure to implement the recommendations of the CBSM workshops.

#### WORKING GROUP ON COMMUNITY INVOLVEMENT IN IMPLEMENTING THE CBSM GUIDELINES

- The Working Group members were in unanimous agreement with the recommendations highlighted in the Summary Report (produced to highlight the common recommendations of both the first and second workshops).
- Issues that need to be considered when implementing recommendations:
  - How do we form IDP groups? (What is the interest for IDPs? Who will facilitate? How will they do it? Who will be involved? How will the group function? Will they communicate with DS/district/national actors? How will this happen?).
  - Central vs. local responsibility for coordinating participation.
  - Representation/participation of IDPs and host communities
  - Need to ensure that public participation/consultation is effective (IDPs need to see results).
  - How to encourage community involvement (security, sense of empowerment, usefulness of participation)?
  - Obstacles to IDP participation (language/communal tensions/stratification of IDP groups). How do we address this?
  - How do we deal with isolated communities in cleared vs. uncleared areas?
  - How do we build upon existing community structures and build links between and within existing groups, GOSL structures, NGOs/INGOs?
  - How to ensure diverse representation (women, elders, children, etc.) from IDP groups and ensure that these voices are heard? Also need to ensure that the voices of IDPs in uncleared areas are heard and that there is regional diversity (need to highlight diversity/commonality of experience).
  - Diversity of IDP experience (working committees, uncleared/cleared camps, host families).
  - Issue of IDP and host community relationships.
  - May need different approaches for different IDP experiences.

- How do we help them recognise commonalities? What will be the unifying factor?
- IDPs living outside Welfare Centres and Temporary Accommodation Centres can organise on the DS level. There are a lack of structures for IDPs outside of the camp setting.
- District Planning Committees (DPC): expand DPC to include IDP representatives.
- Facilitators should be experienced in communication and conflict resolution.
- IDP advocacy group discussions need to ensure that diversity is represented, and that issues of security and fears are addressed; people can be empowered through IDP specific discussions prior to larger group discussions.
- Use existing community structures (host community; draw upon experience of community leaders and ensure safety of community leaders so that they can be advocates).
- It is agreed that this process will take time.

### *Recommendations for Action Plan*

- o Address obstacles to meaningful participation in parallel with organisation of IDP groups (security, confidence in results, and trust in process).
- o Information campaigns (radio; info sheets; 'go and see visits').
- o Recognition of differences in capacity/empowerment of IDP groups (new vs. old IDPs, security situation in IDP location).
- o Use existing structures at district level - DPCs/Coordinating Committees - bring together IDPs, Police, CMLCs, NGOs, INGOs, UN and host communities.
- o Police: reactivation of Human Rights Unit within Police Force or IDP desks within Police - confidence in local Police and local administration.
- o Community policing (community-Police liaison - similar to CMLC proposal).
- o Strengthen existing efforts of Police visits to IDP sites accompanied by NGOs/CBOs to help build trust (important CBSM measure - create relationships through visits, familiarity).
- o Establish an IDP liaison desk (similar to women's desk) in each relevant DS division.
- o Resuscitation of human rights directorate in Police - links to local Police, lectures, exchange, effective communication of directives.
- o Ensure IDP specific human rights education for Police Officers.
- o Police posts (temporary) at IDP sites - to discuss security issues, gaps and needs (Vavuniya model).
- o Security concerns as an obstacle to CBSM (security of IDPs to ensure their voices are heard, security of NGOs as facilitators, security of GOSL officials).

### **WORKING GROUP ON RECONSTRUCTION AND ASSISTANCE**

While both the Government and non-government representatives agreed on the recommendations and issues that needed further discussion, the group felt that the wording used in the Summary Report - first paragraph, line two, "failure to address the needs of the host communities" was too strong and suggested that the word "failure" be changed to "shortfall".

### **General Principles**

- To develop people's own income earning ability as early as possible in the displacement process.
- Engage people in self employment activities such as 'cash for work' as an early recovery approach.
- Planning and coordination between Government and non-government stakeholders is essential in delivery of reconstruction and assistance (short and long-term planning important).

## 1. Response Mechanisms

- Approval from central Government creates delays in aid delivery (cooked food, non-food items, etc.) GAs' face this problem in all districts as GAs need to get permission from Ministry of Nation Building and Estate Infrastructure Development. Process: approval required from Commissioner General of Essential Services/ Ministry of Defence and from Area Commander for transportation and approval of supplies.
- Rations released only after 5 weeks of receiving.
- Difficulty in maintaining buffer-stock as a result of the above issues.

### Recommendations:

- **Build up buffer stock** - Three months rather than current 30-day stock.
- **Lifting of banned items** such as diesel and cement in Jaffna.
- **Corridors to be established** for delivery - not only for relief assistance but also for long-term livelihood assistance - revive humanitarian corridors that existed previously for certain items: movement of food and other essential items into uncleared areas (water/sanitation/shelter) by ICRC and UN agencies (with coordination of authorities). Need for liaison/discussion to provide for conflict situation - how do we develop the humanitarian corridor issue for implementation/action plan phase?
- **Decentralisation of authority** in order to get timely assistance to IDPs; not only for relief assistance but also livelihood and long-term assistance and decentralisation for distribution of supplies (fertiliser, etc.) after supplies have been received.

## 2. Designing of Development and Assistance Programmes with Beneficiary Participation

- It is not happening in a systematic way.
- In Kilinochchi, a livelihood development programme has been established with UNDP/CADREP, community involvement is a hundred percent - the community proposes initiatives.
- In Jaffna, community participation is very strong with a strong coordination mechanism between NGOs and the Government. Cash for work programmes are going on and attempts are made to have minimum duplication. The Government may send supplies but people are unable to purchase them as there is a lack of liquid cash (except for Government officers) for fisher folk, three-wheeler drivers etc. The issue of purchasing power is thus critical.
- Special cases such as pregnant mothers are taken care of in Jaffna.
- Not only the 50,000 recently displaced IDPs in Jaffna should be taken care of; needs of host communities also need to be addressed.
- There are tensions between host families and IDPs as a result of limited resources.

- Tension between the previous IDPs and the recently displaced (for example, there is disparity in terms of compensation received and relief assistance).
- In Puttlam, funding for 50 percent of infrastructure is provided - it is not targeted for IDPs alone but for host communities as well.

**Recommendations:**

- IDP working groups in the district and divisional level to be incorporated to identify actual beneficiaries.
- Tsunami Livelihood Database on Beneficiaries to be extended to conflict-affected IDPs.
- Creating awareness and dissemination of information (for example, with regard to Chikungunya, people are not aware whether it is mosquitoes or chicken that causes it!)
- Awareness raising on entitlements: need for public information campaigns for the systematic dissemination of information.
- Recovery of livelihood: send not only food and supplies but also seeds and fertiliser to Jaffna.

**3. Best Practices in Designing Assistance Programmes**

**Recommendations:**

- Must think long-term (e.g. water supply: laying pipes is a better solution than bowsering, World Bank to look into fast-tracking project on water supply).
- Keep advocating for return to normality (action: donors).
- Livelihood Needs Assessment to be carried out in January by ILO/FAO and to be linked up with Disaster Management Plan and Divisional Livelihood Plans.
- IDPs should be involved with formulating the livelihood development plan of FAO/ILO.

**4. Provide Assistance in Manner that Builds Relationships**

**Recommendations:**

- IDPs to assist in reconstruction/infrastructure projects through UN Office for Project Services (UNOPS) etc.
- Cash for work for housing/reconstruction as opposed to the welfare system.
- The need for trained, skilled and semi-skilled labour is high (ILO could assist).
- ILO Work for Peace Programme.

**5. Making Beneficiaries Aware of Entitlements**

**Recommendation:**

- There must be a direct link between beneficiaries and the assistance to which they are entitled.

**WORKING GROUP ON COMPENSATION AND EFFECTIVE COMMUNICATION POLICY**

The Group believes that all IDPs must be registered as soon as possible on following guidelines/recommendations:

- Duplication must be avoided and a uniform registration process to be followed in all IDP Centers.
- National Identity Card (NIC) numbers should be included in the registration.
- IDPs staying with host families should also be traced for registration and compensation purposes.
- Considering all practical aspects, it is recommended in order to avoid duplication and false claims, photocopies of the NICs of IDPs are obtained. Further, wherever possible, it is important to get a photograph of the IDP.
- It is imperative that the general public be educated by GoSL and the media on their entitlements in the case of a national crisis (which can be a natural disaster or political calamity). This information should be freely available and easily accessible.
- With regard to receipt of compensation, there should be a specified formula for distribution purposes to ensure equality and transparency.
- What is practically required is that in the aftermath of any death or damage, the system must be activated and followed through until IDP/next of kin receives their compensation.
- Need to consider which government institution is best placed to deliver or coordinate a streamlined and unified national compensation scheme and whether an appeals board and complaint mechanism should be established for processing claims under any compensation/restitution scheme.
- All document/s to be readily available with the respective Grama Niladhari, Divisional Secretaries and the District Secretaries.
- For coordination and for the purpose of paying compensation, the process has to be channeled through the respective Divisional Secretary - a copy should be maintained at the District Secretary's Office.
- It is observed that there have been delays in all districts in disbursement of compensation. To avoid such delays, the following model should be adopted:
  1. Divisional Secretary and the Grama Niladhari to submit a perfected form to the District Secretary's office enabling the processing officer to submit it within 14 days to the Treasury through the relevant line ministry.
  2. Whilst going through this process it must be ensured that the IDP/next of kin receives their due compensation within a period of 1.5 months.
  3. If there is an unacceptable delay of processing the claim/s, the beneficiary may then consult the Human Rights Commission or the Police of the area for relief measures.
- The Working Group observed that there are some lands occupied as High Security Zones by the Military in the north and east of the country. Accordingly, some civilians are required to relocate elsewhere as per the guidelines, and are eligible for compensation; this is an important issue that should be given adequate consideration.
- The backlog of compensation claims need to be cleared; the failure to do this is sending a negative signal to affected communities. The Government can attempt to clear this backlog by obtaining Cabinet clearance on this issue.

## CLOSING REMARKS

Hon. Minister Mahinda Samarasinghe thanked all participants for their participation and continued support. Now that both groups of Government and non-government stakeholders had made joint recommendations based on the five identified thematic areas, these could be used to develop a plan of action.

The Hon. Minister suggested that the principles identified are very important and thus should be widely disseminated. Minister Samarasinghe also suggested holding workshops for Government Agents, Divisional Secretaries, the three Forces and Grama Sevakas to sensitise them on the Guidelines on CBSM and the action plan (to based on the consensus reached in this workshop) that will accompany it.

Implementation of the action plan is important on all sides. As such the Hon. Minister stated that he would ask SCOPP to work with the SLMM to take this forward. Minister Samarasinghe reiterated that the consensus reached by the two groups of stakeholders was merely the beginning of the process of operationalising the Guidelines on CBSM; a national plan of action has now to be developed and implemented.



- Appendix -

**Third Workshop on Operationalising the Guidelines on Confidence Building and Stabilisation Measures (CBSM)**

**List of Participants**

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