

RAPID CONTEXT ASSESSMENT



EXECUTIVE SUMMARY

National Analysis

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In January the country was completely preoccupied with the presidential election. The 18% margin of victory for Mahinda Rajapakse was a surprise to many. The poll was peaceful but there was widespread violence during the campaign. The main national election monitoring organisations that observed the election campaign from the beginning have refused to endorse the election as a free and fair election because the governing party abused state power and resources and ignored the orders of the Elections Commissioner and the Supreme Court to obey the law. The joint opposition candidate Sarath Fonseka has refused to accept the result claiming that the poll was rigged. He is due to file an election petition in Supreme Court challenging the result.

The opposition has been weakened by the defeat of its candidate. However, it is trying to preserve its unity by questioning the legitimacy of Rajapakse's win and making it a rallying point for the parliamentary elections. The arrest of Fonseka appears to have given an added impetus for opposition unity.

The election result also revealed that the country was politically split along ethnic lines. Mahinda Rajapaksa won handsomely in the predominantly Sinhalese districts while Fonseka won in the minority dominated north and east, Nuwara Eliya district where Tamils have a majority and in Colombo

city where minorities account for a large proportion of the vote. The election process further highlighted the poor governance and lack of respect for human rights in the country. During the month one editor of an e-newspaper that the government believed was critical of it disappeared and the editor of another newspaper that supported the opposition has been taken into custody. Sri Lanka continues to have the dubious distinction of being one of the riskiest countries for journalists to live and work.

The International Commission of Jurists released a report titled "Documenting the History of Impunity for Human Rights Violations in Sri Lanka." The main point made in the report is that Sri Lanka has failed to learn lessons from the past about impunity and human rights violations and has not taken adequate remedial measures.

A report issued this month revealed that Sri Lanka's prisons were 65% over-crowded. Many prisoners are those who have not been able to pay fines. There is an urgent need to review this situation. There were also reports of child abuse in children's homes highlighting the need for stricter regulation of the 400 or so such institutions in the country. The government promised to resettle all IDPs by the end of January. However, at least 80,000 and possibly as many as 107,000 yet remain unsettled. There is a concern that the relief organisations will shortly withdraw as their funds run out and that these people will be stranded. Although the full resettlement target was not achieved the government has done a reasonable job of keeping its pledge to resolve a very complex issue. However, the resettled people need more assistance than what has been provided to regain their livelihoods, build or

repair their houses and get back to a normal life.

Over 800 LTTE cadres who were in detention were released in January after they underwent a programme of rehabilitation. However, arbitrary detention continues. There is an urgent need to review the entire system of detention and make it comply with the law of the land.

Economic news was of secondary importance in January when attention was focused almost entirely on the presidential election. As usual extravagant promises were made by both main candidates to increase salaries, give jobs, reduce the cost of living and improve infrastructure. Voters may no longer believe such promises which in many cases are fiscally unviable. Inflation in January increased a little from the previous month to an annual rate of 6.5% but was still moderate. Tourism continued to pick up. In 2009 tourist arrivals increased by 2.1% to 448,000. In January the New York Times picked Sri Lanka as one of its top tourist destinations for 2010. Share prices in Colombo rose by 5% in January continuing the upward trend in the market that started in 2009. The Central Bank increased the ceilings it had imposed on interest rates paid by finance companies to depositors. It also announced that it would relax regulations on the export of capital allowing Sri Lankans to invest in shares in foreign countries. Critics of the move accused the Bank of creating a loophole for people with black money to send money abroad. A World Bank report released during the month showed that Sri Lanka ranked 137th out of 155 in the efficiency and quality of port services. This was another indication that infrastructure has to be improved for the economy to be more competitive globally.

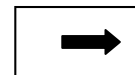
TREND ANALYSIS GRID

| | |
|-----------------------------|---|
| Political context | ➔ |
| Governance | ⬇ |
| Human Rights | ➔ |
| Human Security | ➔ |
| Civil Society & Media Space | ↘ |
| Economic context | ➔ |
| Human & development space | ➔ |

INDICATOR REFERENCES

| | | | | | |
|-------------------------|---|-----------------------------|---|------------------------|---|
| No change | ➔ | Slightly improving | ↗ | Slightly deteriorating | ↘ |
| Significantly improving | ⬆ | Significantly deteriorating | ⬇ | | |

NATIONAL ANALYSIS - 26/12/2009 TO 25/1/2010



POLITICAL CONTEXT

The Presidential Election is over and President Mahinda Rajapakse who secured 6,015,934 – 57.88 per cent votes) safely strapped in the saddle looks to the Parliamentary or General Election end March or early April with renewed confidence.

President Mahinda Rajapakse safely secured 16 of the 22 Districts while Gen. Sarath Fonseka, his opponent who polled 4,173,185 – 40.15 per cent votes, secured six Districts. It was a hotly contested election with Gen. Fonseka tipped to be the new President but President Rajapakse romped through making a majority of 1.8 million votes over Gen. Fonseka.

What followed is unfortunate, the preven-

tion of free movement of Gen. Fonseka, the searching of his office, the arrest of his security and office staff and the Immigration at the airport informed not to allow Gen. Fonseka to leave along with his wife, and family including their spouses.

Parliament will be dissolved on February 05 making way for the Parliamentary Election in which the United People's Freedom Alliance (UPFA) Government and its allies hope to secure at least 150 seats (2/3rd majority) in order to amend the Constitution along with the Electoral process.

If on the other hand the UPFA can secure 125 seats which they did when analyzing the Presidential Election results, then they can form a Constituent Assembly like what

happened in 1972 under Prime Minister Sirimavo Bandaranaike, who put out a new Constitution.

What the country needs today is not a new Constitution but reconciliation among the various political groups and a development of the north east in order to stem any dissenting moves to start a separatist war all over again.

Meanwhile the Eelam People's Democratic Party (EPDP) is expected to go it alone at the Parliamentary Election and support the UPFA of which they are a constituent party. The Tamil National Alliance (TNA) will also be contesting on its own and have not yet decided whom to align with.

GOVERNANCE



The election result which saw incumbent President Mahinda Rajapaksa being re-elected by a majority of 58 percent is being contested by the main opposition challenger, former Army Commander, General Sarath Fonseka who obtained 40 percent of the popular vote. The General who was backed by all the main opposition parties has rejected the results as rigged in favour of the President and not representing the mandate of the people.

The large margin of victory by President Rajapaksa belied expectations of a closely contested election. Election Day saw the electoral process take place in a generally peaceful and calm environment in contrast to the acrimonious and often violent campaign period. However, none of the main national election monitoring organizations, which had been monitoring the entire election process, endorsed the elections as free and fair.

This was on account of the large scale abuse of the state machinery by the government for the purposes of the election campaign right up to and including Election Day. The government violated election laws with impunity, especially those relating to the use of the state media and election propaganda in public places, and ignored directives issued by both the Election Commissioner and the Supreme Court.

The victorious President will face formidable challenges in the days ahead. The more or less one-sided utilization of the state machinery to bolster the chances of victory of

the incumbent President has created an impression of a government that was determined to win the elections by all means at its disposal, and did so. In these circumstances the opposition has positioned itself to challenge the legitimacy of President Rajapaksa's victory and exploit it to regain lost ground.

It is likely that in the days ahead they will endeavour to project the President's victory as an illegitimate one that was won by illegitimate means. As the opposition alliance contains the JVP which has a strong presence in the trade union and student movement, the possibility of street protests looms large.

The political mobilization of the opposition on the issue of fraud at the Presidential Election will serve the interests of the opposition parties, as it will provide them with a focal point for unity to face the forthcoming General Elections. Such a scenario would ensure that confrontational politics will not end with the Presidential Election but will continue at least until the General Election and even thereafter.

The election results also demonstrated a schism in the thinking and expectations of the ethnic minorities and ethnic majority populations. President Rajapaksa obtained only a relatively small proportion of votes in the North, East and central hills where Tamils and Muslims predominate and also in the capital city of Colombo where the proportion of Tamils and Muslims is high. Elsewhere in the country in the Sinhalese-

dominated areas, the margins of victory for the President were high.

It is to be regretted that the electoral process in the North of the country in particular did not give the opportunity for the voters there to cast their votes owing to logistical problems such as the lack of public transport. Members who participated in the election monitoring process reported the frustration of displaced voters who waited for hours for public transport that did not arrive for them to cast their votes and others who kept away due to the series of grenade explosions prior to voting in Jaffna which intimidated many into not voting.

The low voter turnout in the North is indicative of an inability of the people there to participate fully and voice political sentiments and demonstrates the distance to go to achieve democracy. An important challenge for President Rajapaksa will be to address the sense of alienation of the ethnic minorities and provide a political solution for their problems and grievances by way of devolution of power.

During most of the election campaign both major candidates gave considerable attention to the issue of inter-ethnic harmony and reconciliation. Unfortunately during the latter stages, the allegation that the opposition candidate had a secret agreement with the major Tamil party that could divide the country led to the rousing of communal sentiments.

HUMAN RIGHTS



This month the people of Sri Lanka had been pre-occupied with matters relat-

ing to the Presidential Elections which resulted in the re-election of the incumbent

President. In spite of more than 900 incidents of election violence and allegations

of malpractices during the run-up to the elections in general and on the day of the elections in particular, the election observers have declared that the elections had been 'peaceful' and properly conducted. Be that as it may, this month the International Commission of Jurists released a Report on Documenting the History of Impunity for Human Rights Violations in Sri Lanka. It points out the systematic absence of remedies for gross human rights violations in Sri Lanka in the past when disappearances of persons and extra-judicial killings were the hallmark of the turbulent period from the latter part of 1980s till about the middle of 1990s. The report points out the lessons that could be learnt from the happenings of that period which are very relevant to the human rights situation in the country today. The Report points out that the non-implementation of the recommendations of the Commissions of Inquiry into Disappearances during that period, resulted in the continuation of the culture of impunity that has resulted in the proliferation of human rights violations ever since. The lack of any significant institutional or legal reforms based on the experiences of the time has led to the deterioration of the rule of law in the country. The Report has pointed out that the politicization of the judiciary has had an adverse effect on the law and order situation in the country resulting in the absence of accountability for human rights violations. Though the conflict situation that existed prior to the defeat of the LTTE provided the excuse for the gross violations that took place, there does not appear to be any let up in such violations even though several months have lapsed since the conflict was brought to an end. Abductions continue to take place and incidents of disappearances of persons have also been reported during this month. A large number of persons are being detained for long periods without any charges being framed against them.

Re-settlement of Internally Displaced Persons

It was reported this month that the Japanese Government had provided Rs.20.4 million to fund livelihood projects for IDPs re-settled in the Trincomalee, Anuradhapura and Hambantota Districts. Japan's assistance to Sri Lanka mainly focuses on the assistance for supporting the Consolidation of Peace and Reconstruction of war affected areas. Japan has also aided the World Bank which has allocated US\$ 65 million for the Emergency Northern Recovery Project (ENRP) to support the Government's effort to resettle the internally displaced people (IDP) in their places of origin in the Northern province and to assist them with the social and economic livelihood development. This will help the Government to assist over 100,000 returnees mainly from the areas of Mullaitivu, Kilinochchi, Vauniya and Mannar.

The Government of Japan has also provided Rs. 103 million for demining project in Man-

nar and Vavuniya districts. Three livelihood and development projects have also been started in the Jaffna, Batticaloa and Matara districts to accelerate resettlement process and to improve the lives of people at the grassroots level.

The 509 families consisting of 1,862 members who had been living in various areas of the High Security Zone in the Jaffna Peninsula have now been resettled.

Thus it could be seen that the government has done its best to honour its pledge to resettle as many as possible from the welfare centres that were maintained in the Wann. However, it appears that there are some problems at the implementation level. Many of the IDPs do not seem to have been provided enough money to re-construct their damaged homes and commence their agricultural activities. Reconstruction of the war damaged infrastructure is yet to be taken place. It is hoped that the rights of these IDPs will be honoured and everything possible would be done to enable them to resume their livelihood activities without delay.

Release of detainees

A large number of persons detained on suspicion that they are cadres of the LTTE had been released this month. Among them were a group of 713 rehabilitated LTTE cadres who were in Army custody at the Vavuniya rehabilitation camps.

Another batch of 118 suspects allegedly detained over LTTE involvements were released this month by the Colombo Chief Magistrate's Court.

However, a large number of others detained under similar circumstances continue to be detained. Amongst them are 34 suspects arrested in 2008 allegedly for having attempted to sabotage the 2008 Independence Day Celebrations. No charges had been framed against them. One of them filed a FR case and was released this month by the Colombo Chief Magistrate while the others continued to be detained pending a decision by the Attorney-General

It was reported in a newspaper that the government is to release 79 estate Tamil youth who are held in custody on suspicion shortly following a request made by Secretary of the CWC who had called the President and asked him to release all estate sector Tamils who had been arrested and detained. This is a very disturbing piece of news. If persons could be arrested and detained and released at the whim and fancy of a politician, it is a gross violation of the principles of the rule of law and does not augur well for the good name of the country.

There was another instance this month of a lady undergraduate who had been allegedly abducted from the University in Peradeniya in November and had been missing since then, being found this month to be under

detention at the Detention Centre in Boosa. It is reported that she had been suspected of involvement with the LTTE and had been abducted and kept incommunicado by the Police until agitation by the Inter-University Students' Federation forced them to reveal her whereabouts. This Federation has a list of 140 undergraduates who are still missing. 343 other undergraduates who had been so taken and detained have now been released. This again is another instance of persons being taken into custody violating all provisions of the law and denying the fundamental rights of such individuals.

There have been reports of Tamil prisoners in the Welikada Prison, Jaffna Prison and Colombo Remand Prison went on a hunger strike since January 2nd calling for the State to charge them for any offence they are suspected to have committed or release them. The Commissioner of Prisons had discussed the matter with prisoners and informed their grievances to the Ministry of Justice and Law Reforms. They had given up their strike on the assurances given by the Commissioner.

These instances only re-iterate the need for the government to urgently review the cases against all detainees. Now that the LTTE is no more a threat to the State, it is urged that the cases of the detainees be earnestly considered.

Prisoners' Rights

It has been reported this month that the prisons in Sri Lanka are overcrowded by 65 per cent. It was stated that there are 11,500 convicted prisoners and 14,000 remand prisoners in the country's prisons. The prisons in Galle, Colombo, Kalutara, Tangalle, Mahara, Negombo and Matara were severely overcrowded compared to those in Batticaloa, Monaragala and Polonnaruwa, sources said. It was stated that the reason for overcrowding was mainly due to convicts' inability to pay fines imposed for minor offences. The Ministry of Justice needs to take urgent measures to expand the facilities in the prisons and devise ways and means by which those who are in prison for no payment of fines are kept away from the criminals who could have an undesirable influence on them. Besides, prisoners too have rights to be treated humanely in the centres where they are confined. Perhaps the Ministry could consider Prison Reforms to ease the congestion in the prisons and do more for the welfare of the convicts.

Abuse of children in welfare homes

This month at least two instances of abuse of children in welfare homes have come to light.

At Akmeemana a mother had complained that her 16 year old daughter who is an inmate of a Children's Home run by an NGO had been beaten up by the matron who had injured the eye of the girl. The police had

refused to entertain her complaint and the mother had to complain to the ASP of Galle who had initiated investigations.

In another instance, the matron of a children's home in Ahangama had allowed her paramour to rape some of the teenage girls in the home. Some of the girls are said to be mentally retarded. The Galle Police are

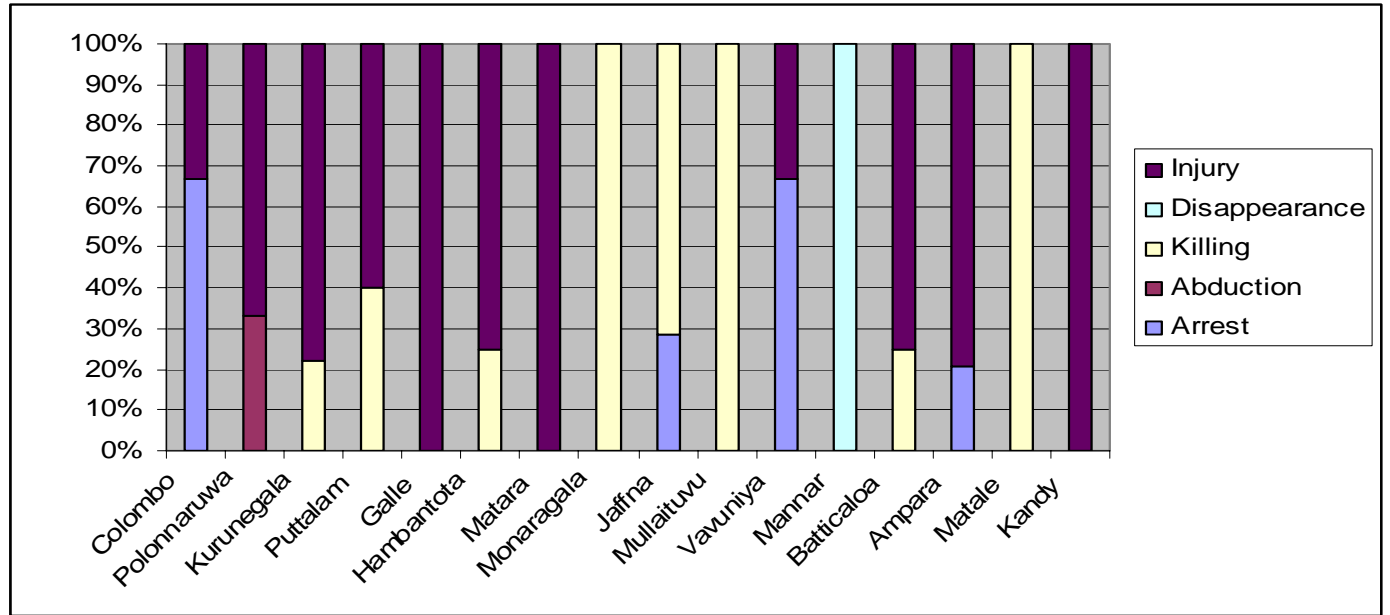
said to be investigating into that case.

These two cases bring to focus the need for the stricter supervision of children's home by the Child Development and Women's Empowerment Ministry and the Ministry of Justice to ensure that the rights of these children are not violated. It is reported that there are over 400 such homes run by

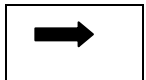
NGOs. Since most of the children in such homes are either orphans or mentally retarded children, the State has to take full responsibility for their protection and punitive action must be taken to prevent such children being abused. Child abuse is a growing problem and should be tackled on a priority basis.

Human Rights Analysis

Data on victims of Arrest, Abduction, Killing, Disappearance and Injury
During the period 21st Dec 2009 to 20th Jan 2010
(Sources – Daily Mirror, Daily News, Island, Virakesari, Thinakkural, Sudar oli,)



HUMAN SECURITY



While the end of the civil war brought an end to terrorism and peace to the country, a new kind of violence was seen during the recently concluded Presidential election, with numerous of election related violence, some resulting in death, being reported.

The Police Constable who was allegedly responsible for the death of a youth, who

was reportedly mentally unstable, forcing him to drown in the sea, died while in remand at the Welikada Remand Prison. The alleged drowning drew a great deal of human rights and media attention and outrage, and was held as an example of the rapid deterioration of law and order in the country.

Meanwhile, several former LTTE cadres who

had undergone the stipulated period of rehabilitation were released from camps where they were detained, and handed over to relatives and friends.

The late LTTE chief's father meanwhile passed away after a brief illness while still being detained by the Army. Following his death, his wife was released by the Army

CIVIL SOCIETY & MEDIA SPACE



At the time of writing this commentary Journalist Prgeeth Ekneligoda Journalist working for Lanka E news is missing for ten days while the Editor of the Weekly news paper "Lanka" affiliated to the opposition JVP is in custody of investigating authorities while the Courts have removed the restrictions placed on his news paper office. The president of the Sri Lanka chapter of the South Asian Free Media association (SAFMA) has said that next to Afganistan, Sri Lanka has become the second highest country where journalists have been threatened. This direct quote is made not because

any statistics to support this assertion has been made but the Daliy Mirror of 3rd February has considered it to be a fact worth emphasis by placing it in a box in its report "Media Urges President to Ensure its freedom". Mr. Manik de Silva President of the Editors Guild has stated that the President should intervene in this matter and that various thugs should be "prevented from using rough housing as a resort".

What is heartening in these times of uncertainty faced by both print and electronic media is that that they do attempt to main-

tain a semblance of impartiality in reporting news. Private print media in their editorial comment and features do show a distinct bias towards the government. This is understandable. We live in a society where opulence and conspicuous consumption (pardon the cliché) is not vulgar but a meager concession to grip a little sand in climbing the greasy pole of social acceptance. Editorial writers wax eloquent on the subject of declaration of assets. How appropriate would it be if Editors of leading publications volunteered to declare their assets? This commentary is made in the certain knowl-

edge that there is at least two leading journalists still practicing this noble craft unimpeachable integrity for they have substantial inherited wealth. A comment on a cartoon that appeared in the Daily Mirror of 3rd February is a must. The cartoon shows the leaders of the common opposition listening to a swan playing a harp with the caption "The Swan Song" The first comment that came to my mind was "it is elementary dear Watson" No that is not the appropriate response. It is simply the Pavlovian experiment at it earliest stage .

As regards Civil Society the local chapter of Transparency international was indefatigable in its efforts to educate the public as regards the acceptable norms applicable in a democratic state in the use and misuse of public property and public resources. The election monitoring organizations having satisfied themselves that the day of elections was by large peaceful was however concerned with the unprecedented level of violence during the campaign. That their warnings and pleas did not evoke the kind of public concern is again the absence of an active civil society.

By definition civil society operates in the sphere of participatory democracy to achieve shared objectives in a non coercive manner. More importantly it needs an atmosphere that insulates them from coercive force of the state. This does not imply that for civil society to be effective the state should abdicates its inherent right to enforce law and order. It only requires the state to respond to the legitimate representations of civil society. The tragedy here is that the concept of civil society is yet an abstract concept highly desired and persistently resisted.

ECONOMIC CONTEXT



With the nation pre-occupied with a hotly contested presidential election the economy took a back seat in January. The main election issues were more political than economic.

The very nature of election campaigns anywhere is such that it is very difficult to discuss complex economic issues with the nuance and qualification that such issues usually merit. Campaigns are more tempted to produce slogans and sound bites that less than fully attentive voters can easily understand. Sri Lanka is not only a good example of this but even worse. Politicians of all hues are prone to make totally unrealistic economic promises. In the January 2010, presidential election the two main candidates tried to outbid each other promising pay hikes for state works, more job, better infrastructure and so forth.

Voters who have heard similar promises that have not been kept after winning office are probably too cynical to believe them. The average voter cannot be expected to seriously examine these promises for what they are worth. That is the job of the media and commentators. Unfortunately in Sri Lanka that does not happen very much. Last month government spokesmen challenged the fiscal viability of the promises that the joint opposition candidate made. However, as far as this write is aware the opposition failed to effectively challenge the program of the government. For example, much of the large infrastructure projects are funded with loans from countries such as China, India and Iran. These loans have to be paid back with interest. The projects have to generate income to do so. For example, the Hambantota Harbor loan annual repayment will be around \$36 million. That

would require the government to generate a gross income of around \$360m with a 10% return to repay the loan over a ten year period. This will not be easy. In 2008 Galle got a mere 60 vessels (a mere 1.3% of Colombo's 4,424) and handled 459,000 MT of cargo (as opposed 48 million MT in Colombo). These numbers suggest that Hambantota port would have an uphill task to generate revenue to make it economically viable.

One of the significant macroeconomic management successes of 2009 was the reduction of inflation from 22.6% in 2008 to 3.4% in 2009. International factors such as lower oil prices helped. However, in January consumer prices rose at an annual rate of 6.5% mainly owing to higher food prices. The end of the war in May 2009 helped initiate the revival of the economy that contributed to the national output. For example, the economy grew by 4.2% in the third quarter to September 2009, compared to 2.1% in the second quarter.

One of the more notable post-war economic successes came in the tourist trade with tourist arrivals increasing by 2.1% to 448,000 in 2009. In January the New York Times featured Sri Lanka as one of its top tourist destinations for 2010. If political stability holds the industry's prospects for 2010 look bright.

In 2009 Sri Lanka's share prices rose by about 125%, much of the increase registered in the second half of the year after the war ended. In January the All Share Price Index gained a further 5% reflecting sustained investor confidence,

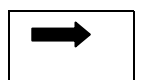
The Central Bank revised upwards, the ceilings that it has imposed on interest rates that registered finance companies could pay

depositors. These ceilings are linked to one year Treasury bill rates. Such ceilings help to keep Treasury bill rates down and thus make deficit financing cheaper. The upward increase in ceilings is in the context of falling rates for Treasury bills. The Central Bank also allowed finance companies to pay a premium rate of one percentage point above the ceiling for deposits made by individuals over the age of 65.

The Central Bank announced in November of 2009 that it would allow Sri Lankans to take out up to \$500,000 in capital without permission from the Bank. In January it announced that it would allow Sri Lankans to open bank accounts abroad and invest in equity and short term debt in "overseas" companies. The Bank justified these decisions on the grounds that the country's foreign reserve position was sufficiently strong to permit more liberal transactions in the capital account. The IMF office in Colombo expressed its support for the Bank's action. This created a minor political storm during the election campaign with critics accusing the Bank of creating a loophole for individuals with black money to take out ill-gotten wealth.

The global Logistics Performance Index (LPI) compiled by the World Bank that was released in January showed that Sri Lanka ranked 137th from the top among 155 countries. LPI measures, using six key dimensions, the efficiency of export and import clearance process in the ports and points of entry in a country. The highest score that a country can score is 5.0 and the lowest 1.0." The second number must be 1.0 and not 5.0.

HUMANITARIAN & DEVELOPMENT SPACE



Resettlement Deadline

The Presidential Elections held in late January succeeded in putting the plight of the IDPs out of focus for most of the reporting period. So much so, that the promise made by the government to resettle all

IDPs by the 31st of January 2010 went unfulfilled. The latest statement made by the Minister of Resettlement admits to a remainder of 80,000 IDPs that still need to be resettled. The data released by the UN however puts this number at approx 107,000 as

at January 20, 2010.

Even though assurances are given by government sources that the rest of the resettlement will take place as soon as possible, with such a large number of IDPs remaining

the concern is whether there will be sufficient resources to continue to meet their basic needs. This is especially so because a number of agencies will need to pull out as their funding will finish by end January.

Another troubling report is the protest staged by displaced children and their parents requesting access to schools. Apparently, even though assurances had been given that they will be given access to schools in Vavuniya, this has not materialized. Education Authorities have now said that this facility will be provided by the end of the first week of February.

Presidential Elections

On the Presidential Elections itself there are several concerns. One is that the low number of votes cast by IDPs has been attrib-

uted to the fact that transport was not provided for them to travel to polling stations which were 25km - 40km away. Another is that even from the votes cast, a clear indication is given of the lack of confidence people in the North have of the present government.

This, coupled with the major challenges the returning population face in Killinochchi and Mullaitivu Districts (such as livelihoods, shelter rehabilitation, transport to rural areas and access to basic services, especially medical facilities), should provide food for thought to the government.

The President during his campaign tour to the North and East earlier in the month promised a number of things. He said that train services would soon be extended to

connect the Jaffna peninsula to the Mainland, that restrictions on fishing off the coast of Jaffna will be lifted, and that the Government plans to develop the fisheries and agriculture sectors and education services in Jaffna. He further stated that an honourable and just solution would be found to the ethnic conflict and that elections will be held in the near future to elect a Northern Provincial Council.

Role of Humanitarian and Development Agencies

It is our duty, therefore to constantly monitor and see that these promises are delivered, and advocate and move into help make the resettlement process easier for the returnees. Of special concern is the need to rehabilitate shelters in return areas.

DISTRICT ANALYSIS (PERIOD OF REVIEW- 27/12/2009 TO 26/1/2010)

AMPARA

As in other parts of the island, the Presidential Elections were the main topic of conversation, as several changes in the political scenario occurred, with the TMVP and UPFA MP Muralidharan coming together to work for the incumbent's re-election. However, the Tamil population, for the most part, has maintained a degree of neutrality regarding the election.

The Government's failure to disarm paramilitary groups, despite repeated promises to do so, has disappointed the public, as it is an issue of grave concern to them, threat-

ening their safety and the future of the district's youth.

The general public perception is that the disarming has not been carried out due to the favour these groups enjoy with many powerful politicians.

Development activity continues, while security restrictions have been removed and IDP resettlement continues at a steady pace. However the election results, in which the district was won by the main opposition's candidate indicates the people are unhappy

with the present government.

It would seem the Government has a long way to go yet to win the confidence of the Tamil people.

Further development of the area without discrimination, resettlement of war and tsunami IDPs, disarming the paramilitary, addressing cost of living and unemployment issues are some the areas the government will have to tackle if they are to begin adequately addressing the many needs and concerns of the people of the district.

BATTICALOA

The decision of the Mayor of Batticaloa to support the opposition candidate while the Chief Minister and MP Muralidharan came together to work for the incumbent created much interest in the district. Issues at the forefront during the election were re-merging the North and East, abolishing the high security zone, disarming paramilitary groups, re-settlement of the war and tsunami displaced and cost of living and unemployment issues.

The results of the election, in which the district was won by the main opposition candidate, indicated that the district is unhappy with the current government and have not been attracted by various prom-

ises of development, economic improvement and stability.

Following the ruling party's victory, a general election is likely to follow towards the middle of the year. The coalitions of both the ruling party and the main opposition party are bound to have an effect on party loyalties, and the probable result is anyone's guess.

The overall sentiment however is that coalitions, whatever their nature, need to be formed in order to serve the people, and not merely for political advancement. Development activity temporarily ceased during the election period, which caused concern

amongst the public, who felt that the district's development could not fall victim to political events. The Government's failure to disarm paramilitary groups, despite repeated promises, has also disappointed the people, as paramilitary activity threatens to disrupt peace in the district by threatening law and order.

Meanwhile, relevant authorities need to consider the plight of farmers who suffered heavy losses due to the recent heavy rains, and should consider paying them a living allowance to enable them to meet their basic expenses until the next harvest.

COLOMBO

The district saw the height of political fever, as the two main candidates campaigned heavily for victory. The non-distribution of polling cards to several reportedly registered voters, as well as the alleged disappearance of names of regis-

tered voters from the voting register created a great deal of consternation among the public, and gave rise to several accusations of election malpractices.

The public showed more enthusiasm than

usual at the polls as the battle was considered a crucial one between two formidable candidates. Unlike in other areas of the district, several incidents of election violence were reported. The incumbent's resounding victory surprised many in the dis-

district as the general prediction was that the race was too close to call.

On a positive note the opening of the Galle Face road from Kollupitiya junction through to the Colombo Fort was noteworthy, as part of the road was barred to commuters for the past several years due to security concerns.

The opening of the Galle Face Green was also hailed by the people, as the Green attracts a large crowd of families looking for entertainment.

Also noteworthy, in view of the battering the media has taken in recent times from Government authorities, was the release of

journalist Tissanayagam, who was taken into custody in March 2008. The Attorney General instructed the Justice Ministry to release 60 of the 600 prisoners being held as LTTE Suspects. These prisoners were held for over two years without any legal action being taken.

JAFFNA

The recent Presidential Election marked the first time in nearly three decades that the residents of Jaffna had a say in selecting the country's President. However, participation at various election campaigns and voting was low, the former due to fear of election violence and the latter due to logistical problems in delivering polling cards to large numbers of resettled IDPs as well as those still residing in camps. The question at the forefront is however is

whether development in the district will continue and whether the authorities will work to uplift the lives of the people. Issues include the re-merge of the North and East, re-settlement of the IDPs, the implementation of the 13th amendment and the removal of the high security zone.

The TNA's decision to support the opposition candidate was met with anxiety as the people fear the ruling party will discriminate

against the district in development projects due to the TNA decision.

Re-settlement is a major issue and the relevant authorities need to take utmost precautions to ensure that the process is conducted without creating undue conflict, especially between the Tamil and Muslim communities.

MANNAR

Political

Activity in Mannar town increased with the recently concluded election campaign, as candidates canvassed support for the Presidential Election campaign. The Tamil population in general seemed to have desisted from voting, while the Muslim population was enthusiastic and showed up in numbers at the polling stations. A few election related incidents of violence were recorded by the Police. Meanwhile, the Puttalam-Chilawathurai road was re-opened in order to enable voters in the Musalai DS division to vote. Election monitoring was conducted by Sarvodya and Paffrel

Governance

A large number of Government officials were engaged in election related duties. Several Government Ministers visited the district and distributed relief items to the general public during this period.

Economics

The Government needs to support the district's fishing population by providing inputs such as modern deep sea boats, outboard motors and nets, as a large majority of Mannar fishermen use outdated methods of fishing which result in poor catches. Their waters are also often trespassed upon by Indian fishermen as well as those with more sophisticated fishing equipment. Agriculture also needs to be paid more attention as only 40% of cultivable land is currently being cultivated. Meanwhile, the opening of the A9 road has profited businessmen from the South as they ply their wares in the North.

Security

Security is more relaxed and the public are freer to travel, and overnight buses to Colombo are available. Public relations with the Security Forces have also improved in the past few months. Twelve thousand LTTE cadres continue to be detained in detention

centres. The authorities could release the names of detainees to the Northern Government Agent's office so that their relatives could locate them more easily.

Civil society Humanitarian Development space

A total of 2,824 IDP families consisting of 9,083 people have been released from IDP camps, but with an unequal distribution of financial assistance and dry rations, many of them are struggling to make ends meet. Many of them have resorted to selling their meager possessions in order to make ends meet. The small number of NGOs that remain in the area find it difficult to adequately cater to the IDP needs, while the scaling down of NGO operations and the withdrawal of several NGOs has resulted in an increase in unemployment. The situation in the Mannar district is not adequately highlighted in the news and the public in other parts of the country are often unaware of the situation in the area.

TRINCOMALEE

Political

The election campaign took up much of the district's attention during the reporting month, with contestants intensely canvassing the district. With a 40% voter turnout, a majority of the votes were cast in favour of the main opposition candidate, General Sarath Fonseka, reflecting a desire for a change in political leadership. The Tamil population was less enthusiastic than others about the elections. A section of the IDP population also participated in the voting, although a majority of them were unable to do so as they had not received their polling cards due to logistical problems in delivering polling cards, with regard to their permanent address of residence.

Governance

The Railway Department recently launched

its second rail bus service between Trincomalee and Gal Oya under the Nagenehira Navodaya development project. The new service will enable easier travel by eliminating the need for passengers to wait several hours to travel between the two destinations, thereby making travel easier.

Under a Rs. 36 million Japanese Government grant to construct bridges in the Eastern province, a long awaited need as most of the infrastructure in the province was destroyed by the nearly three decade long war. The bridges include the Panichankeni Causeway and a bridge on A-15 Batticaloa-Trincomalee Highway, as well as bridges in Upparu and Muttur and other selected areas.

Economics

An industrial, commercial and fun fair conducted by a Chamber of Commerce was held in Trincomalee recently. With an entrance fee of Rs. 100 levied and a large number of visitors, the public are now wondering whether the money earned will be used for some form of development work in the district. Tourism has increased, and local hotel and rest-house rates have increased. The cost of living has also increased and a majority of the population is finding it difficult to survive on a daily basis.

The Government has lifted restriction on fishing and fishermen are now free to engage in fishing during any time of the day and in any area, excluding the High Security Zone. Meanwhile, the NDB Bank and the Merchant Leasing Bank commenced opera-

tions in the district with a ceremonial opening attended by members of the business community and other officials.

Security

A week prior to the Presidential Election, Army presence was withdrawn to a great extent from the district, and replaced by Navy deployments, while several security checkpoints were removed and public movement was less restricted. The public seemed more inclined to stay indoors immediately prior to the election however, fearing violence, which however did not materialize, while following the declaration of the results, the Navy was patrolling the district.

Around 55 Tamil political prisoners, arrested under the Sri Lankan Prevention of Terrorism Act (PTA) and Emergency Regulation (ER) and detained in prison for a long period with no legal action being taken, launched a hunger strike, appealing to the authorities to release them. They protested that while former leading members of militant groups have been given top political posts, they were being held on false grounds.

Civil society Humanitarian Development space

The Army base in Trincomalee recently conducted a football tournament among the

football clubs in the district, as part of ongoing community relationship development efforts. The Japanese Government has provided a sum of Rs. 20.4 million for three livelihood projects in three districts including Trincomalee, in order to uplift the resettled and rural communities. Over Rs. 10 million has been allocated in order to construct community centres, agricultural and drinking wells, and to implement income generation training sessions. Meanwhile, the Trincomalee Catholic Association held a car wash during to raise funds to care for the orphan children in the district.

VAVUNIYA

Political

Vavuniya town was a hive of activity due to the Presidential Election campaign. Both the incumbent and main contender spent heavily on the campaign in terms of both time and money – the town's response however was lukewarm with an average turnout at the polling booths.

Meanwhile, around 85% of the 285,000 IDPs have moved out of camps, either to resettle in their respective districts or to take up temporary residence with friends or relatives. Due to the change in their postal addresses which came about with the move out of the camps, they did not receive the polling cards, and significantly impacted the final outcome of the Election.

Governance

The Government has worked hard to ensure the resettlement of IDPs, which has resulted in a reduction of IDPs in camps from several hundred thousands to 87,241 in mid-January, with a majority of the remaining IDPs being from Killinochchi and Mullaitivu. Provincial council authorities continue to distribute IDP dry ration cards and shelter permits, and to dispense other necessary services. A selected number of NGOs are continuing work in these areas, and provid-



ing services such as shelter, health and sanitation.

Following the unrestricted opening of the A-9 road, much

travel and trade is taking place between the North and the South, resulting in a relative economic boom for the North.

The cost of living has increased greatly, and the Government has reduced the price of certain essential goods in order to assist the impoverished population of the district. Compounding the economic difficulties families face due to the increasing cost of living, is the loss of employment as several NGOs have retrenched staff or withdrawn from these areas, leaving over 5000 people unemployed. Assistance to IDP families is not being distributed equitably, as the local authorities face a number of logistical difficulties in distributing dry rations, shelter allowances, agricultural inputs, etc.

Security

The number of check points has been scaled down to the recently concluded election campaign as well as international pressure. The armed forces and the general

public seem to enjoy better relations following the end of the war. The re-opening of temples and churches in the High Security Zone to the public has had a positive impact on public morale.

Civil society & Humanitarian Development space

Agricultural activity is not at its optimal, as the monsoon arrived early, surprising farmers and disrupting the agricultural time table, which could affect the supply of food in the district in the months to come. As the IDPs are being released from camps, several

of them are to be seen loitering around the town as they go in search of relatives, shelter, food and clothes, while some of them have resorted to begging, as aid organizations gradually withdraw from the area and scale down operations. Many former IDPs have resorted to selling their meager possessions in order to buy food. Around 12,829 families consisting of 37,719 people have thus far been released from IDP camps in Vavuniya.



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The Rapid Context Assessment (RCA) aims to provide useful information for humanitarian and development agencies to plan and implement more effective interventions addressing various humanitarian and development needs based on a profound understanding of local dynamics.

At the same time, the RCA aims to enhance prospects that interventions are sensitive to the peace and conflict dynamics in the districts and that agencies at a minimum avoid creating or exacerbating conflict (Do No Harm) at a maximum contribute to conflict mitigation/transformation and peace building (Do Some Good).

Risk assessments aim to enhance agencies' efforts to stay operational while increasing safety of staff and people in implementing areas.

At an external level (general public, international community) RCA will serve advocacy purposes in providing comprehensive and balanced information about the situation in Sri Lankan districts.

We welcome your comments and suggestions on the contents of this report. Please mail us at feedback@cha.lk

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