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THE HUMANITARIAN

Join hands for HUMANITY

During a time at which the tsunami waves of December, 2004 left many homeless and destitute, the Turkish Government came to the rescue of the people of Midigama in the Matara District. The Government sponsored a housing scheme of 450 houses with a sophisticated sewage treatment plant built to a Turkish model at a staggering cost of Rs. 760 million.

The treatment plant has been built on elevated land with sewage from houses being transported across a valley through a maze of underground tunnels. What once proved to be a haven for tsunami victims is now a stinking health hazard for residents in the village and affected neighbouring villages. Children from the pre-school bordering the playing field are severely affected during the rainy season when the sewage being transported underground overflows.

The plant, now managed by the Pradeshiya Saba, was designed by the Turks and runs an unaffordable electricity bill of Rs. 100,000/- to Rs. 200,000/- per month approximately. The plant's devastatingly high electricity consumption has resulted in the Ceylon Electricity Board (CEB) ceasing the electricity supply altogether. This

has resulted in overflowing sewage contaminating paddy fields in neighbouring villages.

Authorities have looked into the possibilities of the residents of the housing scheme collectively paying the electricity bill to ensure sustainability of the sewage recycling plant. However, these residents, most of who depend on a daily wage with no steady monthly income, are rendered helpless in this regard.

Who will take responsibility for the inconveniences caused to these people? Who will listen to their voices and extend a helping hand rescue them from the sewage trench? To whom will they voice their concerns that have, thus far, fallen on deaf ears? These forgotten souls need to be attended to before disease annihilates the village.

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Sewage dilemma strikes Midigama

Prisoners in distress

One of the main problems confronting prison authorities in Sri Lanka is the state of most prisons, which were constructed during the Colonial Regime. The three main prisons are Welikada, Bogambara, and Mahara, which are over 125 years old. The administration report of the Commissioner General Prison for the year 2006 states: The multi-storied buildings made of lime, sand and bricks, and wooden floors have long outlined their usefulness. It has become an extremely difficult task to keep these dilapidated buildings in a fit state for human occupation with the meagre funds available to the department. These prisons were built to house the prisoners of the century and are not fit to hold prisoners of 21st century.

Prisons in Sri Lanka today are over 400 per cent overcrowded! This is mainly owing to the fact that the entire judiciary system appears to be slow in their process in disposing cases and meeting with justice. The main cause in many cases, or as a matter of fact in all cases, the delay is on the part of the investigating officers namely the Police. In Sri Lanka, about 60 per cent of inmates need not be incarcerated in prisons. This takes place purely due to a delay in disposing cases by the judicial authority. For example, the L ward in Welikada prison houses about 2,000 inmates. According to the minimum standard rule under the Geneva Convention, an inmate should be provided with 6*9*10 – 540 sq ft – per person. Whereas if this is strictly applied in L ward, only about 275 inmates could be located in this particular building. Furthermore, there are 11 toilets for about 2,000 inmates after being locked up for the day until they are unlocked in the morning.

Overcrowding in respect of Institutions

Prisoner type	Total number islandwide	Total
Convicted male	13,254	13,681
Convicted female	427	
Remand male	12,603	13,470
Remand female	867	
Total male	25,857	25,857
Total female	1,294	1,294
Remand and convicted	27,161 *	27,161 *

* As at 06th of January, 2010

Another cause for concern, is children under four years of age who are being kept in prisons along with their mothers who are in prison custody. These children are unable to attend pre-school, hence, stagnating their education and, more often than not, adopt adult mannerisms. Being in prisons at such an early age has resulted in children learning criminal tendencies from adults in prisons. One could imagine as to who will come forward to help these innocents who are mostly in prison through no fault of their own.

There are yet remandees who are remanded for two to three years

and later convicted for a period only six months. In other instances, investigations are held up until officers who have been transferred to other parts of the country return to resume investigations of the case. Several other prisoners are unable to retain a good attorney to represent them in Court, simply for the lack of funds to pay the attorney.

Infant Population in Penal Institutions (Children in prison with mothers)

Age	Total (islandwide)
0—2 years (breastfed)	10
2—5 years	49
Total	59

The delay in the part of the Terrorist Investigation Division (TID) causes mayhem in prisons. In the recent past it had been made to understand that in these institutions, in many cases, Army deserters through their weight around and misdirect these inmates them against the authorities to meet their ends.

Prisoners on hunger strike demand that they either be released or that their cases to be expedited by the judiciary. They use the ploy of a hunger strike to draw the attention of the public with the hope of gaining their support in order to draw sympathy on their issues. In response to unrest in institutions, the Supreme Court has given a directive in the recent past to the Attorney General to expedite these cases without further delay.

Three closed prisons in Sri Lanka:

- Welikada
- Bogambara
- Mahara

18 Remand and Convicted Prisons in Sri Lanka:

- Anuradhapura
- Colombo
- Kalutara
- Negombo
- Galle
- New Magazine
- Tangalle
- Badulla
- Matara
- Batticaloa
- Kandy
- Kegalle
- Wariyapola
- Trincomalee
- Jaffna
- Kuruwita
- Boossa
- Moneragala
- Polonnaruwa

There are 25 Lockups islandwide in order to locate inmates temporarily for a period of two to three days when such occasions arise.

C.C.Y.O. (Pallamsena and Thaldea)
Work Camps — 08
Open Prisons — 02
T.S.Y.O. — 01

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Remand Homes: Institutionalisation of children

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The main focus of all interventions should be in the 'best interest of the child' and best practices maintained in all activities involving children in difficult circumstances.

Institutionalisation seems to be the first option in most cases and the only option available in dealing with children in difficult circumstances. It can affect a child emotionally and physically. It is vital to look at the full process of institutionalising a child – from the time a child is taken away from a circumstance, until the child is reunified with his/her family. There are positive and negative impacts in institutionalising and separating a child from a family and their reintegration process.

Remand homes are set up to detain children while their cases are being heard in a Court of law. What happens to these children whose right to education and to go to school is denied due to security reasons? Non-formal education or vocational training and education are rarely found in implementation due to the period of time a child spends in a remand home. Though the children are expected to serve a short term in these homes until the investigation is over, they end up serving a much longer term which denies them their right to education. The homes lack library facilities for children to read during their free time and recreation programmes to keep them occupied. Furthermore, the length of a child's stay in a remand home is uncertain. Boys used to be permitted to play cricket, but this, too, has come to a halt due to security reasons with one or two children attempting to run away, in addition to the lack of staff for strict supervision.

Majority of the victimised children are detained together with offenders, which increased the tendency for the victims to be re-victimised. At present, the children are divided into two groups i.e., 05 to 13 years and 13 to 18 years of age. Children of different age groups being detained are a hindrance to very young children with older children bullying younger ones, assaulting them, and homosexuality being attempted; in most cases children are sent in for security, care, and protection.

Cases with no dates result in the child being held for a longer

Circumstances, issues, and solutions

period in remand homes. Where individual solutions are not possible in practice, alternative solutions need to be addressed on a case by case basis i.e., a monthly no-date meeting with relevant authorities to discuss solutions and options will result in expediting the case and placements.

Delving further, a State doctor has not been allocated to conduct health clinics for the children with the assistance of a nurse to provide medicine. There is also no vehicle to provide transport in an emergency or accident. Furthermore, the State does not provide them with free legal representation at the Magistrate Court, where their cases are heard; 95 per cent of the guardians lack economic means to retain a lawyer and the socioeconomic situation on the ground is not child friendly.

The staff cadre in most of these homes are 50 per cent than the stipulated numbers e.g., if 22 staff members are required only 11 staff members are presently available, therefore, the older children are obliged to fulfill tasks such as washing and cleaning toilets, assisting in cooking, moving and carrying large, hot cooking utensils from the stove, washing clothes of smaller children, and supervising the smaller children's dormitory, amongst a vast amount of other chores. The children have no individual cupboards or any privacy in the remand homes.

The State provides clothes twice a year and the numbers provided are insufficient, as approximately 800 to 1,000 children access the remand homes. In most cases children come with only one set of clothes, therefore, a set of clothes given to one child to wear to Courts is given to another due to lack of stocks for all.

In spite of efforts taken to reduce the number of children in the remand, numbers entering the system is yet the same. With amendments to the Children and Young Persons Ordinance, positive changes that will prevent children sent through the juvenile justice system are anticipated, unless it is necessary in the extreme, as institutionalisation should be the last resort for any child.

Voices

Ex-combatants in the east

Jalaldeen Nilamdeen
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For three decades, Sri Lanka was torn by a brutal and tragic armed conflict that has claimed the lives of thousands and left many others handicapped, as well as destruction to property. In the aftermath of 30 years of terrorism, there are over 100,00 LTTE cadres who were either captured or surrendered before the Sri Lanka Army. At the same time a divide in the LTTE, resulting in the formation of the Karuna faction in March, 2004, saw the birth of more than 20,000 ex-combatants under the TMVP. The breakaway faction expected programmes of re-integration at a very early stage.

There are over 1,000 ex-combatants who are under the TMVP and Karuna Group living in the Trincomalee District. There are no female cadres in Trincomalee. Most ex-combatants live in Eachchilampathu and Muttur DS Divisions of the Trincomalee District.

Most of the ex-combatants who are married are suffering without an income and are in expectance of any re-integrating programme with the help of the Government and donors, in order to increase their employability and minimise their risk of socio-economic marginalisation and create opportunities for economic revitalisation in their life.

DS Division: Muttur
Date released or left: five months ago

A 26-year-old fisherman, who joined the LTTE in 2006 and trained as a fighter later married from Batticaloa. He left the LTTE five months ago and joined the TMVP.

Ex-combatants in Eachchilampattu		
GN Divisions	Age	Total
Kallady	27-30	05
Vattawan	19	01
Poomaradaichanai	18-27	09
Sennakkulam	18-40	12

He is now a father and lives in Trincomalee with his parents who were displaced from Muttur in 1990 by the war and the tsunami and are living in a rented house.

The ex-combatant suffers without any income to live his life and his poor parents are also unable to support him. Therefore, he would be grateful to be assisted with fishing equipments to re-start his fishing.

District: Batticaloa
Date Released or left: 1996

A 30-years-old, who joined the LTTE in 1993 and trained with them in Vattapolai of Mullaitivu District in 1996, left the LTTE in 2007 and was arrested by the Army in Vavuniya. He was imprisoned in Valikkada, Kaluthurai and released thereafter. Upon his release, he worked in Colombo and earned Rs. 40,000.00 per month, but was kidnapped by unknown persons and released after seven days. He then joined the TMVP.

He married from Batticaloa and is now living in Trincomalee without any income to support him and his family.

Village: Sampoor
DS Division: Muttur
Date released: 21st of March, 2004

A youngster born in August, 1991 joined the LTTE due to the lack of proper maternal care since his

father's second marriage. He was released in March, 2004 by the UNICEF after being recognised as an underage recruit.

The ex-combatant has an elder brother who also joined the LTTE at the age of seven and a younger sister. He had later come to know that his brother was working as a driver with the Karuna faction and his sister was studying for her Ordinary Level Examinations at the Methodist Church.

The ex-combatant has now joined the TMVP and said that he feels very safe and comfortable, and is expectant of some form of livelihood assistance to re-integrate his young life.

Division: Kuchchaveli
District: Trincomalee
Date Released or left: 2004

Another man from Trincomalee joined the LTTE and trained with them in Kumpurupity in the Trincomalee District. In 1992 he was arrested by the Army and released after a month. In 1994 he left Sri Lanka and returned to the country in 1997, where he rejoined the LTTE to work as a driver for them. In 2004, with the divide within the LTTE and the formation of the Karuna Group, he joined TMVP.

He married from Kilinochchi and now has two children. However, the family suffers without an income to support them.

Ex-combatants in Muttur		
GN Divisions	Age	Total
Kanguwali	20-28	18
Poliyadisolai	18-28	13
Pallikudiyirruppu	18-40	15
Pattalipuram	20-30	06
Sampoor east	18-45	35
Kattaiparichan South	20-35	07
Paladadichanai	31-28	03

Will resettlement solve their problems?

IDPs: What does the future hold?

P. T. Anandarajah

IDPs who are resettled in the north and east face innumerable challenges. These are people who have been severely traumatised in the past conflict and still carry their physical and/or mental wounds. In their new settlement the important security need is the land entitlement.

In the present context, most of the young girls and boys still remain in detention camps and their parents and relatives are in a dilemma. This in turn has caused them to express reluctance in resettling. It is imperative that these youths are released to lead a normal life.

Most IDPs are still in a fear psychosis and are highly reluctant to return to their home villages. They need reassurance, confidence, and a sense of security in order for them to be convinced of resettling in their villages.

The Government and NGOs conducted numerous projects and programmes costing millions of rupees in IDP camps. The programmes spanned to include families, children, and elders, in addition to disabled orphans and widows.

Many IDPs know not the whereabouts of their relatives and children who are missing or disappeared. These are colossal issues that need to be solved before resettlement. Hence, these projects and programmes need to be continued once resettled and needs planning, resources, and funds and should be the most important plan for the future.

To cite an example there have been massive programmes for children ranging from rehabilitation, education, and other psychosocial projects. A future plan is required so ensure continuation of the programmes and projects for resettled children. A parallel plan would be

initiated for other segments of society such as, elders and families.

Many a IDPs that are to be resettled will carry the scars of the cruel war. In view, of psychosocial rehabilitation, Professor Daya Somasundaram has emphasised on the need of psychosocial rehabilitation on a massive scale. In order to fulfil this endeavour, psychosocial professionals and volunteers must have the freedom of movement and facilities to move around and serve in areas such as, Kilinochchi and Mullaitivu.

People in a community gain their identity strength through their culture. However, the cultural fabric of IDPs has been seriously shredded. Hence, it is of prime importance to endure that their cultural and religious values are rebuilt.

Relief Villages and IDP Centres	Area	GR	Families	Male	Female	Boys	Girls	Total
Kadiragamar – (Zone 0)	21 Div	455872	4,048	2,201	2,456	812	1,135	6,604
Anandakumaraswamy – (Zone I)	21 Div	443868	7,499	8,211	10,121	970	1,274	20,576
Ramanadan – (Zone II)	21 Div	434873	7,012	8,010	9,609	683	893	19,195
Arunachalam – (Zone III)	21 Div	426882	6,415	5,297	7,203	590	604	13,694
Zone IV	21 Div	374905	4,591	3,318	5,375	1,371	1,460	11,524
Zone V	21 Div	382910	845	577	609	485	464	2,135
Zone VI	21 Div	445852	1,116	887	1,099	685	534	3,205
Dharmapuram	21 Div	606808	496	484	771	437	520	2,212
Total	-	-	32,022	28,985	37,243	6,033	6,884	79,145