

An ANNOTATION

**to the “Principles of Conduct for The
International Federation of Red Cross
and Red Crescent Societies /
International Committee of the Red
Cross and NGOs in Disaster Response
Programmes”**

(IFRC/ ICRC Code of Conduct)

June 2005

Preface

The Tsunami disaster that struck Sri Lanka in December 2004 left behind a widespread destruction killing over 31,000 people, destroying nearly 100,000 homes, making thousands homeless and shattering their families and livelihood, damaging substantially the coastal infrastructure and ruining natural ecosystems. Its overall effect is often compared with the man made destruction caused by two decades of war.

But the response to the Tsunami also demonstrated the potential of Sri Lankan society to stand together to help each other and it generated a wave of international support and solidarity. People volunteered for rescue and relief operations; impressive amounts of aid were donated from individuals, non-governmental organisations, private companies, States and bi- and multilateral agencies. In the meantime there are many more organisations engaged in rehabilitation, reconstruction and development in the country after the Tsunami

Right from the start of the wave of domestic and international support agencies involved in this work emphasised the need to recognise some critical aspects for the relief and recovery efforts to be effective, conflict-sensitive and in accordance with international experiences in previous disasters. This was also the starting point for the Consortium of Humanitarian Agencies (CHA) and the Berghof Foundation to get involved in a series of activities to address these issues and to work towards a common understanding of guiding principles on how to address them.

One of these activities was based on the “Principles of Conduct for The International Federation of Red Cross and Red Crescent Societies/International Committee of the Red Cross and NGOs in Disaster Response Programmes”. This Code was endorsed in the context of a CHA programme dealing with post-Tsunami recovery. In the light of post-Tsunami discussion on conflict sensitivity and other guiding principles we came to the conclusion that it would be useful to have an in-depth annotation of the 10 principles of the Code of Conduct to support all people and organisations involved in aid activities to uphold international humanitarian standards in their work. We asked a team from CHA, the Berghof Foundation, GTZ and UNDP to draft a first version which was then revised in a consultative process with feedback from many individuals and organisations.

We would like to thank all participants in this process, particularly Anushka Abeynayake, the principal author of the Annotations, as well as David Whaley, Dinusha Pathiraja, Minna Thaheer, Dr. Markus Mayer and Joe William for their contributions and critical feedback.

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Introduction

The Tsunami that struck coastal communities on the 26th of December 2004 provoked an unprecedented outpouring of sympathy and support from individuals, communities, NGOs, private sector and governments across the globe. The international response to the Tsunami disaster offers new opportunities for peace and development in Sri Lanka. It also raises serious challenges that need to be understood by all concerned, governments and civil society partners alike in the affected countries and in the international community. The disaster has left many questioning the political, socio-economic and long-term consequences of the necessary humanitarian responses.

In collaboration with the Consortium of Humanitarian Agencies (CHA) and the Donor Working Group (DWG), The Berghof Foundation convened a small expert meeting on the issue of conflict sensitivity in the Tsunami response, mid January 2005. Participants included: Sarvodaya, Marga, MWRAF, IMCAP, FCE, CPA, CHA, TRO, SSA, SAPNA, USAID, ADB, WB, SIDA, Royal Netherlands Embassy, UNDP, DFID, FLICT, GTZ, Embassy of Switzerland, the British High Commission, NORAD, CIDA, VSO, UNICEF, Berghof Foundation for Conflict Studies.

In the course of these Colombo based meetings on 'Conflict Sensitivity in the post- Tsunami context' (January- February 2005), annotations from the 'International Federation of Red Cross and Red Crescent Societies and NGOs in disaster response programmes' (IFRC/ICRC) were identified as a useful entry point to internationally accepted standards for humanitarian efforts.

A consultative Process

A team from CHA, The Berghof Foundation, GTZ and UNDP produced a first version of an annotated Code of Conduct. The text was developed as a contribution towards ensuring that agencies involved in post-Tsunami relief, rehabilitation and development were aware of important aspects of the Sri Lankan context that need to be taken into account in the design and management of their programmes and activities. The principles of the IFRC/ICRC were examined from three angles:

- Their relevance to the overall Sri Lankan context: identification of issues and trends;
- Emerging concerns relating to the Tsunami disaster;
- The potential of humanitarian assistance contributing towards peace or to renewed tension.

This text was distributed to participants of INGOs, local NGOs, bilateral and multilateral donor agencies, at a workshop on the 'The Implications of Post- Tsunami Activities on Peace Initiatives' held at the CHA Offices on the 9th of February 2005. Inputs to the text were encouraged. The few comments that were received by e- mail suggested that whilst the exercise was useful in drawing attention of NGOs to their obligations, the real problem remains ensuring compliance with the spirit and letter of the Code of Conduct on the ground.

The CHA- Berghof Foundation collaboration, therefore, extended the consultative process further to ensure the practitioner's view by participating in a GTZ organised workshop in Trincomalee on 'Do No Harm Principles and Conflict Sensitivity in post- Tsunami Northeast' on the 13th of February 2005. A revised annotations document was disseminated to all participants: Government and LTTE representatives, NGOs, bi- and multilateral agencies.

From the 14th to 19th of February 2005, CHA in collaboration with The Berghof Foundation undertook a field visit to the Trincomalee District to share the annotations document, to consult with local and international practitioners, and to identify emerging issues in the field. Consultations targeted NGOs, local and international, bilateral and multilateral donors, newly arrived international NGOs and newly established local NGOs, private sector organisations, micro entrepreneurs and other individuals including journalists. Twenty-two organisational representatives were consulted together with a number of individuals (kindly see list provided).

Local and international practitioners confirmed the need for and interest in annotations. Two issues were raised (13.02.2005) as to the language usage of the annotations: those presented were far too academic in nature to be easily accessed by local English speaking practitioners. They further requested translations in Sinhala and Tamil. Finally, it was noted that the annotations required a more practice oriented and gender sensitive content such as, being useful to local and international practitioners, including newly arrived humanitarian organisations and technical staff.

From the 2nd to 4th of May 2005, CHA in collaboration with the Improving Capacities for Poverty and Social Policy Research (IMCAP) programme of

the University of Colombo and the Berghof Foundation hosted another workshop entitled “Enhancing Peace Sensitivity of NGOs Engaged in Post-Tsunami Humanitarian, Reconstruction and Development Work” at Marawila. The workshop aimed to increase the understanding of linkages between peace/conflict and development, to sensitise participants on unintended impacts of development interventions on conflicts and to introduce guidelines to support peace sensitivity in development planning and impact assessment of ongoing project activities.

On the final day of this workshop the annotations, which were distributed in advance to all participants, were discussed in smaller groups. The discussion focused on their relevance for their own project work and in terms of constraints in the applicability of principles. Participants were also asked to provide critical feedback for further improvement of the annotations. The workshop experiences demonstrated that the annotations, similar to earlier exercises, offered a good framework to which practitioners could add their on- the- ground experiences, thus giving better meaning to the Code of Conduct principles. Comments and suggestions from group exercises have been incorporated into the annotations as well.

The Way Forward

As an overarching issue, it was pointed out at various occasions during the consultation process that the implementation of peace-sensitive development interventions based on or guided by principles and Code of Conduct, can only be accomplished if they are parallel to the development and distribution of such guidelines. A control system is being set up to monitor and to report on good as well as bad practices among the different governmental as well as non- governmental agencies. However, the set- up of such “watchdog” institutions would ultimately require a different commitment of development organisations which would not only need to “subscribe” to certain guidelines, but would also have to (re)act accordingly on the reporting of different realities at the implementation level.

However, the annotations to the IFRC/ICRC Code of Conduct proved to be useful for practitioners in discussing examples from their own work environment and in increasing awareness on the often- difficult framework conditions to implement all principles in the day- to- day project work. In this spirit the attached revised annotations which incorporate the feedback from the entire consultation process so far, should be seen as a process- driven document to which various stakeholders could further add examples and specifications relevant for the Sri Lankan context.

The Code of Conduct

The principles of 'Conduct for The International Federation of Red Cross and Red Crescent Societies and NGOs in Disaster Response Programmes' can be found on the following website:

< <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/57JMNB?OpenDocument> >

This internationally recognised Code of Conduct will be referred to as the "IFRC/ICRC Code of Conduct". Below please find the original IFRC/ICRC Code of Conduct highlighted within boxes. Annotations are given under each of the ten (10) principles in efforts to reflect specific post- Tsunami context relevant to Sri Lanka.

Annotations to the IFRC/ICRC Code of Conduct

Principle No. 1: The Humanitarian imperative comes first. The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle, which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such.

(Key to the first principle is the right to receive humanitarian assistance by all affected populations wherever it is needed and to those mostly in need without any partisan or political interference. Unhindered access to all affected populations is imperative to this principle.

The Tsunami in Sri Lanka took place against the backdrop of an internal ethno-political conflict that has undermined both the social harmony and the economic performance of the island for the past two decades. The Tsunami disaster devastated communities along the Northern, Eastern and Southern coastlines, including areas of the island that are under de facto LTTE control, referred to by the Government as 'un-cleared' areas.

In providing for the well-being of all communities in Sri Lanka, including those that have been directly affected by the Tsunami, it is essential to sustain the fragile peace established under the Cease-Fire Agreement (CFA) of February 2002 and contribute to the ongoing search for a sustainable solution through negotiation. The Government and the leadership of the LTTE and of the Muslim community have acknowledged that coping with the humanitarian emergency of the Tsunami calls for new forms of collaboration.

Various ethnic groups have been affected by the Tsunami and the internal conflict; some coastal communities have been affected by both disasters. There are instances where people displaced by the conflict and living in camps, were directly affected by the Tsunami – resulting in double displacement and trauma. Conflict-structured processes exist such as disputed governing systems and (official/unofficial) local structures, challenged justice systems, an unpredictable political and economic environment, spontaneous inter-communal rioting and human security concerns. Resources must be put to effective and efficient use and respond to the needs and concerns of women and men of various communities, while maintaining a coherent vision for the country as a whole and its multi-cultural and diverse population(s); and

situating the promotion of gender equality as central to the broader political, economic, social and cultural contexts.

It is important to recognise that post-disaster efforts have the potential to influence the wider dynamics of peace and/or conflict on the island. Post-disaster assistance in a fragile peace situation must promote social harmony linkages with economic security, protect citizens' rights and develop local human resources. Given the current situation of relief, rehabilitation and reconstruction efforts, parties are reminded of their commitment and obligation to respect International Humanitarian Law and the Guiding Principles for internally displaced persons (IDPs).

A non-discriminatory environment resists socio-economic and political stereotyping and strives to ensure fair and equitable access to assistance in view of alleviating human suffering of all disaster-affected people. It is, therefore, important to maintain the principle of access for local and international organisations to all communities and coastal areas, as well as camps for IDPs. It is particularly important that organisations providing humanitarian aid and assistance are trusted by the communities and recognised by the local government/governing structures and/or internationally recognised humanitarian organisations. Moreover, it is important to ensure that needs assessments are not restrained by administrative limitations or political interests.



Principle No. 2: Aid is given regardless of the race, nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone. Wherever possible, we will base the provision of relief aid upon a thorough assessment of the needs of the disaster victims and the local capacities already in place to meet those needs. Within the entirety of our programmes, we will reflect considerations of proportionality. Human suffering must be alleviated whenever it is found; life is as precious in one part of a country as another. Thus, our provision of aid will reflect the degree of suffering it seeks to alleviate. In implementing this approach, we recognise the crucial role played by women in disaster prone communities and will ensure that this role is supported, not diminished, by our aid programmes. The implementation of such a universal, impartial and independent policy can only be effective if we and our partners have access to the necessary resources to provide for such equitable relief, and have equal access to all disaster victims.

→ **KEY TO THE SECOND PRINCIPLE is to ensure that humanitarian help is given based solely on needs of individuals, families and communities, and that humanitarian help is provided equitably without discrimination or preferential treatment of any kind. The second principle also points out the importance of recognising local capacities that are already in place to**

support disaster victims. Women are essential actors in this regard and should be strengthened in their role wherever possible

Equitable treatment must be ensured irrespective of sex, age, caste, ethnicity, faith, social-economic status or political opinions; depending on circumstances different actions based on considerations of sex and/or age may be required such as culturally prescribed gender divisions between female and male physical space within households or specific protection measures from human trafficking of children.

Attention must be given to regional specificities for coping with disasters and within this context priority must be given to the areas where communities have been directly affected by the disaster(s). In this respect it is prescribed that international organisations work with recognised and representative local partners, especially the affected household members themselves, (in/semi-) formal women's groups, local political and administrative structures, local NGOs and the local private sector, as well as establish structured links with international NGOs and donors that have had a longstanding presence in Sri Lanka and/or the disaster affected areas.

It is important to have a consensus-based Needs Assessment on the human impact of the disaster throughout the country; to collect demographic and socio-economic data and information disaggregated by sex and age, to develop gender sensitive indicators and analyse gender differences with regard to environmental management and integrated water resources management, identify disaster occurrence, associated losses/risks and vulnerability reduction, as well as determine opportunities to prevent and mitigate damage in terms of physical and social infrastructure.

The effects of the Tsunami and the internal conflict have increased the numbers of woman-headed households with limited resources; medical, social and economic vulnerability; heightened possibilities of trafficking and sexual violence against women, youths and children in relief camps and domestic spaces; left communities and individuals coping with family disruptions; and the marginalisation of disadvantaged displaced persons, such as the disabled, migrant workers, youths, widows and orphans: children with no appropriate (extended) family to care for their interests and development.

In addressing the different practical needs and strategic interests of women and men of different ethnicity and faiths, it is essential to recognise changes reshaping many women's and men's lives following the conflict. Everyday life in many, if not all, areas has been affected by the internal

conflict. Whole communities have undergone tremendous upheaval and gender roles are often profoundly affected.



Principle No 3: Aid will not be used to further a particular political or religious standpoint. Humanitarian aid will be given according to the need of individuals, families and communities. Notwithstanding the right of NGHAs to espouse particular political or religious opinions, we affirm that assistance will not be dependent on the adherence of the recipients to those opinions. We will not tie the promise, delivery or distribution of assistance to the embracing or acceptance of a particular political or religious creed.

→ **KEY TO THE THIRD PRINCIPLE is impartiality. Aid distribution shall not depend on particular political or religious beliefs of recipients nor shall the delivery of aid be linked to any kind of pressure of accepting such beliefs**

The third IFRC/ICRC principle requires that organisations do not to act as instruments of or as parties to the internal conflict but strive to ensure that all those in need are helped in an impartial manner, taking into account the extent of suffering and the urgency of needs. The credibility of organisations working alongside armed forces will need to be maintained through impartiality and neutrality, observing the necessary distinction between military and civilian activities.

Impartial action is essential to the legitimacy of organisations providing post-disaster assistance particularly in Sri Lanka, which has experienced two decades of internal conflict. Assistance must not, therefore, be used to or based on conditionality that furthers particular political or faith-based standpoints; these can contribute to tension and conflict by isolating a community or social group, and risk further fragmentation of Sri Lankan people along ethno-political and/or faith based lines.

Post-disaster efforts must be rooted in the trust of the affected communities as a whole. Both women's and men's concerns must be identified and appropriately managed and in doing so must include the disabled, war widows, migrant workers, youths, children and women-headed households. Gender balanced teams working with affected people can properly address needs and concerns of all in short- and long-term recovery and reconstruction.

Assistance should aim to build confidence within the local communities and among NGOs (local and international) and local governing structures. Mechanisms should be supported that allow communities to work together to promote tolerance, combat discrimination, respect cultural differences and the diversity of faiths, making women full and equal partners in the development of safer communities and in determining local and national priorities of post-disaster efforts.

Local perceptions of faith-based NGOs, particularly those funded by external sources, are of much importance, as such organisations are associated with fears of community-based, societal and/or country-wide destabilisation; and in some cases viewed as incompatible with cultures of specific ethnic and/or religious groups. It is commonly believed that faith-based organisations attend only to persons of a corresponding faith, and/or engage in subversive conversions by offering financial and other economic incentives to persons experiencing poverty and related problems. There is further a suspicion that continued support or better support is offered only to people who joined the specific faith in a formal manner.

All initiatives must, therefore, ensure that mechanisms are inclusive of women and men's concerns, ethnicity, caste and faith and take into account an overarching aim that all initiative must ensure long-term gender sensitive, peaceful and sustainable development in Sri Lanka.



Principle No. 4: We shall endeavour not to act as instruments of government foreign policy. NGHAs are agencies, which act independently from governments. We, therefore, formulate our own policies and implementation strategies and do not seek to implement the policy of any government, except in so far as it coincides with our own independent policy. We will never knowingly - or through negligence - allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments. We will use the assistance we receive to respond to needs and this assistance should not be driven by the need to dispose of donor commodity surpluses, nor by the political interest of any particular donor. We value and promote the voluntary giving of labour and finances by concerned individuals to support our work and recognise the independence of action promoted by such voluntary motivation. In order to protect our independence we will seek to avoid dependence upon a single funding source.

- **KEY TO THE FOURTH PRINCIPLE is not to act as instruments of donor governments in supporting specific economic or political interests or in collecting politically or military sensitive information for them. The fourth principle requests from organisations to critically reflect from whom and under what conditions they receive funds for their work in order to avoid any kind of donor dependency.**

In disaster situations it is imperative that NGOs uphold independent policies and implement strategies that aim to respond solely to the needs of individuals, families and communities, and that aid is equitably distributed to all in need of humanitarian assistance. The current situation in Sri Lanka calls for the combined efforts of all to respond with speed and flexibility to the needs of all those requiring humanitarian protection and assistance. The exponential growth in both numbers and potential influence of local and international NGOs in the post- Tsunami context, combined with the unprecedented amount of funds that the sector administers, have created a range of new challenges for the country.

The post- Tsunami context has seen a variety of local grassroots, relief-oriented NGOs being set- up. Some appear to have been established for the purpose of absorbing/appropriating disaster relief funds from the international community. Others may have genuine humanitarian objectives. It is, however, important to review the capacity, accountability and development sustainability of newly established local NGOs, and their activities together with their policies and implementation strategies, particularly when partnering with international NGOs. A situation, thereby, arises where local NGOs respond to perceived international NGO agendas, become dependent on short- term external funding and subject to changing donor preferences and conditionality of donor funding, resulting in the increased vulnerability of an already fragile local NGO sector in Sri Lanka.

The post- Tsunami context has also shown a tendency for established NGOs to shift their organisational mandates and institutional objectives towards a Tsunami- centred focus. The NGO sector in Sri Lanka has seen an overwhelming shift towards implementation of relief with little or no in- house capacities to do so. The multitudes and multifaceted matters of rehabilitation and sustainable development is a highly complex area of expertise. Initiatives undertaken by persons and organisation without the relevant expertise can result in adverse impacts on social, economic and peace related concerns in the short, mid and long- terms.

It is also necessary to recognise dangers of any assistance coinciding with a specific conflicting party and for NGOs to be aware of local perceptions

which identify assistance provided to one specific ethnic, faith-based or political group as explicit/implicit support to the strengthening of a particular party to the internal conflict. Initiatives that exclusively (appear to) offer assistance to a particular group may provide short-term relief to a few but expose the local party-directly or as a whole/locally or island-wide to long-term vulnerabilities regarding human security.



Principle 5: We shall respect culture and custom and will endeavour to respect the culture, structures and customs of the communities and countries we are working in.

→ **KEY TO THE FIFTH PRINCIPLE is cultural sensitivity and the compliance to continuously apply respect for local customs and structures in the way humanitarian aid is being implemented**

The fifth IFRC/ICRC principle requires a respect for culture, custom languages and the practice of tolerance towards all faiths and ethnic groups. As a result of the foregoing ethno-political conflict concerns relating to faith and ethnicity have become particularly sensitive. Issues of faith, ethnicity and gender in the Sri Lankan context tap into complex and sociologically significant dynamics and are seen to be intimately connected to the very fabric of identity.

Post-Tsunami has seen a greater visibility of faith-based NGOs which may present an increased possibility of conflict and risks of social and political instability. It is, therefore, important to promote inter-faith dialogue to maintain transparent and inclusive mechanisms and remove any aura of secrecy around organisations and their activities, and thereby avoid feeding into suspicions of the general population. NGOs engaging in any faith-specific activity must further take particular precaution such as not establishing faith based buildings in areas predominantly accommodating communities of another faith.

Sometimes humanitarian efforts are based on stereotypical interpretations of gender roles and relations. It is important to maintain that not all women and men are affected by disaster in a similar way, therefore a context specific analysis is needed. A particular ethnic group may experience marginalisation due to their minority status in a given area. NGO interventions must, therefore, reflect concerns and priorities expressed by local women and men of all communities in the area(s) where assistance is provided.

It is also important to be aware that the island's internal conflict has contributed to an armed culture with conflict dynamics that affected the social fabric particularly in terms of gender relations and identities associated with particular communities and/or ethnic groups. It is crucial to assess the politics of war with the inclusion of gender analysis and human rights standards and consider aspects of the militarisation of societies through concerns relating to femininity and masculinity, concepts of family, ethnicity, faith and disability, as well as issues of social responsibility.

In the course of two decades of armed conflict in Sri Lanka, women have often entered new roles, some of them being combatants, principle income earners and heads of household. The dynamics of so-called 'traditional' gender relations have changed dramatically. It is, therefore, of immense importance to assess the impact of the disasters on women and particularly relevant to focus on women's empowerment issues in the context of the post-armed struggle, how the Tsunami in the shadow of conflict affects women, and the implications for women of peace and the return to communities of combatants/military personnel.

There are also other culture sensitive concerns to take into account such as the potential exclusion of local partners due to English language comprehension and the need to have locally accepted translators and a glossary of terms for standardised translations concerning the local languages.



Principle No. 6: We shall attempt to build disaster response on local capacities. All people and communities - even in disaster - possess capacities as well as vulnerabilities. Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies. Where possible, we will work through local NGHAs as partners in planning and implementation, and co-operate with local government structures where appropriate. We will place a high priority on the proper co-ordination of our emergency responses. This is best done within the countries concerned by those most directly involved in the relief operations, and should include representatives of the relevant UN bodies.

→ **KEY TO THE SIXTH PRINCIPLE is the recognition of local capacities for disaster responses. Humanitarian aid must strengthen such capacities wherever possible. In order to achieve this a close collaboration with**

local NGOs and the local Government structures as well as proper coordination mechanism between different aid agencies must be established and maintained

The sixth IFRC/ICRC principle requires that rehabilitation and development efforts in Sri Lanka are designed in a coordinated manner and within a framework that aims to support long-term sustainable capacity building; which takes full advantage of new opportunities for peace and development by minimising the risk of new tensions both within Sri Lanka and between Sri Lanka and its international partners.

Humanitarian interventions must strive to build capacity of and empower affected women and men, local NGOs (including project staff), promote inclusive inter-communal living, and strengthen policy dialogue and strategic alliances between representative civil society stakeholders and governing structures in a subsidiary manner.

The presence of international agencies must not discourage local communities, organisations and institutions from investing their own energies and resources into their recovery. A local capacity assessment is important to identify ways of engaging and reinforcing local structures and the innate local potential, experiences, knowledge and skills in order to enhance the security of people's livelihoods and environmental management.

Quality standards can neither be compromised in a rush to deliver assistance nor be secured to a specific organisation's position in the recovery process and/or the country. NGOs must ensure that humanitarian funds and initiatives are not wasted on duplication of efforts nor inconsistent overlaps within particular sectors. Without care, the volume of available humanitarian funds and expertise - local and international - risk being misspent and misused on projects that compromise peace and sustainability in the country and risk precipitating yet another disaster.

By forging constructive partnerships with and between NGOs, community-based organisations, the local private sector, governing structures, bilateral and multilateral donors, long-term people-centred development in the country must be supported by expert humanitarian efforts. NGOs are, however, alerted to the realities of funding relationships in partnerships between local and international actors.

The increase in numbers of NGOs active in Sri Lanka and funds that they administer indicate a significant broadening of the role of the NGO sector and its influence. A major concern is to what extent the significant growth

of the NGO sector (local and international) and a considerable increase in numbers of new actors are nurturing self-sufficiency and sustainable development or a culture of dependency in terms of a reliance on external financial and human resources.

There is an extraordinary and spontaneous presence of private individuals that have stepped forward in an apparent bid to partake in the rehabilitation process. This body of new actors include individual Sri Lankan nationals, persons of the Sri Lankan diaspora and foreign visitors that are not organised in any particular manner nor necessarily associated with any humanitarian organisation but have come forth with particular focus on the coastal areas. It is unknown what these new actors (individuals and new NGOs) formal objectives are in the rehabilitation process or their policies and implementation strategies, what type of assistance they aim to provide, how long they intend to stay and whether they have technical/institutional capacity to provide rehabilitation, and if so, whether they intend to follow internationally accepted standards or whether there is a willingness to engage in local coordination mechanisms.

Standards which promote equal opportunities and gender equality should be developed and adhered to by NGOs on the issue of salary structures and the terms on which local staff is hired, which considers skill demands with local supply, and is responsive to trends in the local labour market and are in keeping with Government labour laws. This will discourage key local staff being hired away from local NGOs and absorbed into international NGOs on a short term basis which may have a crippling effect on the sustainability and effective delivery of the local NGO sector as a whole, in the country.

International NGOs particularly, should explore creative ways of using the knowledge and expertise of local partners as well as offer training where required, for prospective local staff, including analytical and practical skills, mediations and training on humanitarian and development issues such as rehabilitation, peace and conflict analysis, shelter, health, gender equality and agriculture. An assessment of partnership processes by all involved parties may facilitate new forms and methods for NGOs to learn together and form local and international collaboration and good practices.

NGOs should also develop strategies that strengthen local human resource development to reduce adverse impacts of losing skilled local workers and enhance enabling conditions for a sustainable, independent, dynamic and vibrant local NGO sector in Sri Lanka. It is, therefore, of utmost importance that international NGOs in particular facilitate the strengthening of local initiatives rather than replacing them. In the role of facilitating local

capacity building at every level of engagement all relief and rehabilitation organisations should also at the off- set of a project cycle incorporate plans for phasing out and support resource mobilisation and diversification of funding.



Principle No. 7: Ways shall be found to involve programme beneficiaries in the management of relief aid. Disaster response assistance should never be imposed upon the beneficiaries. Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme. We will strive to achieve full community participation in our relief and rehabilitation programmes.

→ **KEY TO THE SEVENTH PRINCIPLE is consultation and involvement of beneficiaries at all stages of a relief programme and to ensure full community participation in design, management and implementation of humanitarian assistance**

The seventh IFRC/ICRC principle requires that affected women and men of different communities be engaged in the planning process for medium and longer- term rehabilitation and development efforts. The urgency to provide and deliver humanitarian assistance must not compromise the participation of the affected and displaced women and men, the communities in which they live, or the mandated governing structures.

Participation requires that methods adopted fully involve local communities, especially the directly affected people in the management, implementation and evaluation of aid. Documentation and analysis of women's and men's experiences before, during, and after disaster are therefore central to humanitarian initiatives. All community members must be consulted fully in the design and operation of efforts and take into account the broader impact of aid interventions on sustainable and peaceful development.

Assistance and aid to disaster affected and displaced communities must be rooted in an understanding of the often complex situation on the ground, the ethno- political and cultural profiles of both displaced people and their host communities and within the broader context of the island's internal conflict. The way in which (displaced and Tsunami affected people) are managed can have a tremendous impact on the relations between the host and new arrivals; the presence of diversity can be used positively or increase conflict.

There is need for a clear and consultative process at all levels in the design, management and implementation of humanitarian assistance which places the participation of disaster affected women, men, youths and children central to any initiative. Systematic consultation with communities and NGOs can enable a non-discriminatory environment towards improving lives and livelihoods.

To ensure the participation of local stakeholders in an inclusive and impartial manner, it is of great significance when consultative meetings are held either collectively or specifically selected groups such as women-specific, youth- and children-specific consultations that can enhance participation, bring out the voices of individual groups of the community and the identification of sex-specific and/or age-specific concerns.

Local initiatives should be supported within a broader framework established by the Government and through extensive consultations that allow for full participation of political parties, local NGOs, the private sector and partners from the international community. Multi-cultural dialogues involving local NGOs, government officials, bilateral and multilateral donors, international NGOs and other stakeholders should be organised to facilitate the sharing of experiences. Rather than imposing humanitarian interventions, initiatives must engage in participatory approaches with an aim of empowering all local actors and stakeholders.

Information gathering, dissemination and sharing are central in identifying priority needs necessary for effective planning and implementation of humanitarian efforts. Wide dissemination of information to all stakeholders provides transparency of activities and avoids duplication. In working with others and pooling local information, experiences and international best practices, NGOs should ensure the full involvement of all stakeholders and include women and women's groups/organisations - to analyse and identify people's needs, concerns and choices and to ensure the interests of the most marginalised, such as women and female children who need to be listened to, provided with support and their voices reflected upon.



Principle No. 8 Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs. All relief actions affect the prospects for long-term development, either in a positive or a negative fashion. Recognising this, we will strive to implement relief programmes, which actively reduce the beneficiaries' vulnerability to future disasters

and help create sustainable lifestyles. We will pay particular attention to environmental concerns in the design and management of relief programmes. We will also endeavour to minimise the negative impact of humanitarian assistance, seeking to avoid long-term beneficiary dependence upon external aid.

→ **KEY TO THE EIGHTH PRINCIPLE is to follow long- term development goals in implementing humanitarian aid that will reduce future vulnerabilities, supports sustainable livelihoods, protects the environment and avoids long- term dependence on external aid**

The eighth IFRC/ICRC principle requires that aid reduce future vulnerabilities of affected communities in addition to meeting basic needs. Interventions in Sri Lanka must explore appropriate and new approaches to development that allows the reduction of poverty through more rapid and equitable growth, better environmental sustainability and promotion of inclusive local governance.

In doing so it is important to recognise that survivors of disasters are not passive victims but play(ed) a vital role in responding to the disaster(s) and in rebuilding livelihoods. There is a pressing requirement that resources are put to more effective and efficient use such that they respond to needs identified by local stakeholders: women, men, youths, and children who survived the disaster(s).

Initiatives should aim to strengthen and support the capacities of the most vulnerable social groups among the directly affected and displaced people facilitating them to return to, rebuild and enhance their livelihoods and homes by creating space for vulnerable groups to determine their own needs while maintaining an overall collective vision.

In fishing communities it is crucial that focus is not restricted to activities relating to catching fish, which is typically male dominated. Fishing communities also depend on fish being processed, stored and marketed and acquiring, constructing and maintaining fishing equipment and gear. Women, men and youth participate in such activities. Assistance must therefore be given to the dynamic system of fishing communities that go beyond catching fish and supplying boats but also include processing and commercial activities where women play an important role.

It is also important to be aware that not all women and men in coastal communities are fisher folk. Job creation and employment, as a whole is a central concern in facilitating sustainable livelihoods. In this regard it is important to be attentive to, and ensure that, women gain access to

recovery training and resources on footing with men rather than be reduced to feminised income-generating projects that may offer new skills to women which are supposedly traditional such as sewing and food processing. These types of activities are typically labour-intensive, low-income and often provide little scope for growth or substantive expansion and for improving livelihoods.

In the case of the provision of houses initiatives must encourage the development and implementation of appropriate building standards that take into account natural hazards so that families and communities are not exposed to high risk from natural disasters. Women and men who require re-housing must be included in design and construction of such buildings, deeds to newly constructed houses should hold the names of both women and men, and land rights for women should be promoted as not all women live with men nor are all women economic dependents. Women are also consumers, entrepreneurs, producers, community activist, professionals and bread-winners.

The construction of physical infrastructure such as roads, water, drains, housing and schools after the disaster(s) must be linked to issues of building social infrastructure. A situation of long-term dependence on external aid may easily arise if considerations of social and physical infrastructure are not addressed in an inter-related and combined manner.

Sri Lanka has, in the last five years, seen an upward trend in natural disasters such as drought, floods and landslides in terms of frequency, intensity and the damages they caused. Previous plans drawn up by local stakeholders should be considered, enhanced and adapted to the post-disaster context and initiatives should enhance capacity of all communities to respond to disasters.

There is current concern that many organisations are planning assistance and conducting activities with insufficient information and knowledge of the real needs in the rehabilitation and development process. Immediate attention and urgent action is required to bridge information gaps on gender-specific issues and on detailed accounts of vulnerable people within communities such as pregnant women, lactating mothers, persons with physical and mental disabilities, persons with special medical needs requiring regular medication.

With a proper understanding of how gender roles and relations shift and with the promotion of gender equality the goal of sustainable development and meaningful peace in post-disaster communities can be reached. Gender analysis and methods of mapping environmental hazards and vulnerabilities

must therefore be included at the design stage of all relevant post- disaster efforts in order to improve the effectiveness of disaster risk management and peacebuilding involving women and men equitably.

Concerns of women's security in camps – physically and mentally – must also play a central role. Women in addition to being affected by the internal conflict and surviving the Tsunami, are also at risk in their private/domestic spaces. If not addressed the repercussions can be fatal and/or constitute grave breaches in the human security and human rights of women.

Violence against women and gender-specific health problems have increased for women living in IDP camps and temporary housing. Military presence in camps and the consumption of alcohol by displaced men in camps has a profound impact on women's lives as it severely increases the risk of sexual harassment, physical and mental abuse such as threats and the occurrence of rape and assaults by spouses, male family members and military personnel. Increased alcohol use/abuse is often linked to the loss of men's opportunities of productive work and customary community/household roles in camps for the displaced. Measures must be taken to, both, protect women through security arrangements, establish forums for women's voices and concerns to be aired in a safe environment, and establish preventative mechanisms such as to engaging women and men in useful and fulfilling activities in/outside camps.

Attention must be given to creating and integrating meaningful opportunities for women's participation and leadership in the recovery process and the incorporation of professional women (educators, scientists, emergency managers) and women's community organisations such as those relating to disaster management, peace, advocacy, human rights, and the environment.

It is also important to consider impacts of the disasters on local market dynamics/private sector, and its broader implications for the affected and displaced people and poor communities island wide. Market prices on staple foods such as rice, lentils and bread increased in Sri Lanka upon massive food distribution efforts by relief agencies. Prices for materials used in constructing physical infrastructure also rose. As a consequence the livelihoods of communities in the country were adversely affected.

Managing a framework for political, economic and social development is no small task. Approaching rehabilitation and development without closely considering the country's development plan(s) and concerns of the overall development process in Sri Lanka, as well as peacebuilding and the

promotion of gender equality leaves much room for conflicts/tensions to arise and poverty to increase in the mid- and long- terms. Effectiveness and sustainable initiatives must be central to all programme design, evaluation and reporting. Priorities must be established, responsibilities delegated in a coordinated manner and implementation by each component must be clarified in a harmonised way.

Pressures to disburse assistance in meeting the immediate needs of communities, appears to take precedence over the principles of consultation and subsidiary, increasing the risk of local dependency and disempowerment. Experienced organisations which had developed good practices prior to the Tsunami disaster could help others to develop and implement sustainable approaches to rebuilding households and community assets.



Principle No. 9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources we often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies. All our dealings with donors and beneficiaries shall reflect an attitude of openness and transparency. We recognise the need to report on our activities, both from a financial perspective and the perspective of effectiveness. We recognise the obligation to ensure appropriate monitoring of aid distributions and to carry out regular assessments of the impact of disaster assistance. We will also seek to report, in an open fashion, upon the impact of our work, and the factors limiting or enhancing that impact. Our programmes will be based upon high standards of professionalism and expertise in order to minimise the wasting of valuable resources.

→ **KEY TO THE NINTH PRINCIPLE is accountability and transparency, openness in dealing with donors as well as beneficiaries, transparent reporting on finances and activities and the need for regular monitoring and impact assessment of humanitarian assistance**

The ninth principle requires NGOs to hold themselves accountable both to the people that they directly assist and to the agencies that they receive their funds from. NGOs typically claim to represent the interests of the people they seek to help. However, issues of accountability are generally focused towards the funding body from which individual NGOs receive their financial resources. The ninth IFRC/ICRC principle emphasises that the

women, men, children and communities in need of humanitarian assistance must not only be seen as recipients of humanitarian services but as parties to which NGOs are directly accountable.

The internal conflict and social tensions (latent and visible) in Sri Lanka have given rise to concerns regarding NGO operations in the country. Such concerns typically highlight issues of trust, cultural appropriateness, ethno-political matters and notions of so-called neo-imperialism. In some cases the NGO sector is viewed as a threat to government/governing authorities rather than legitimate actors in development and governance processes. NGO credibility is therefore of utmost importance in the Sri Lankan context and, if not addressed may cause mid- and long-term harm to local communities, the local NGO sector and the fragile Cease Fire Agreement (CFA) in the country.

The practice of accountability towards the affected people is powerful in establishing local NGO legitimacy. Inclusive transparent mechanisms that empower local people, communities, local organisations and local structures are tools that can cultivate local credibility. In this regard, NGOs can formulate explicit mechanisms for accountability in three core areas:

- Firstly, NGOs must demonstrate openness concerning the values of the organisation and be explicit about the code(s) of conduct the organisation adheres to. The NGOs vision/mission must be clear to the persons NGOs seeks to assist, as well as to the agencies from which the NGO receives financial resources. Attention must be given to avoid raising expectations that cannot be met by the NGO particularly in relation families and the communities that benefit directly from the assistance provided.
- Secondly, NGOs must document the practical application of their vision/mission and its impact on the livelihoods of the people who they seek to assist. Good practices and lessons learnt must be systematically collected particularly with regard to effective community based strategies for disaster reduction, peaceful response and recovery, with the involvement and participation of women as well as men.

Regular meetings – for example monthly meetings – can be held to provide active participatory feedback on activities and their impact with women and men/communities directly receiving assistance as well as representatives of the broader population and/or stakeholder group(s) that are indirectly affected by the initiatives – including private individuals locals and visitors that have come forth in response to the Tsunami disaster in a bid to partake in the rehabilitation process of the

coastal areas. These types of meetings should be inclusive of and meaningful to the affected women, men and communities, and must respect their personal and time constraints.

- Thirdly, NGOs must attend to the conditions prescribed by the funding agencies and adhere to the contract/Memorandum of Understanding with the financial resource provider. Timely and regular impact assessments should be conducted to inform decision-making and the implementation, monitoring and evaluation of activities without which valuable resources and technical expertise may be wasted. The adoption of a principle of zero-tolerance for corruption recognises that full transparency and accountability are core values that apply to all aspects of performance and is central to legitimacy of NGOs.

In effect, NGOs must identify the actual impact achieved with their humanitarian assistance and by their activities. Mechanisms for monitoring and evaluation, analysis and reporting must reflect both the positive as well as any unintended negative outcomes of activities and include shifts in gender relations. NGOs can, thereby, hold themselves accountable to the people they seek to aid, to the host Government/governing structures, and to donors that fund their activities. Such assessments can also bring credibility to NGOs and enhance the identification of good practices and lessons learnt in the process of implementation.



Principle No. 10: In our information, publicity and advertising activities, we shall recognise disaster victims as dignified humans, not hopeless objects. Respect for the disaster victim as an equal partner in action should never be lost. In our public information, we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not just their vulnerabilities and fears. While we will co-operate with the media in order to enhance public response, we will not allow external or internal demands for publicity to take precedence over the principle of maximising overall relief assistance. We will avoid competing with other disaster response agencies for media coverage in situations where such coverage may be to the detriment of the service provided to the beneficiaries or to the security of our staff or the beneficiaries.

→ **KEY TO THE TENTH PRINCIPLE is to protect the dignity and security of affected people in publicity and advertising activities. This principle calls for ethically responsible media work in fund raising efforts and public information campaigns.**

The tenth IFRC/ICRC principle requires the exchange of information takes place in a collaborative manner to ensure the principle of maximising overall assistance. All information gathering and management should include provision for the collection, analysis and gender and age disaggregated data. In so doing, the concerns, capacities and aspirations of affected women, men, youth, and children, as well as representative communities should be maintained as the centrepiece of all rehabilitation and development efforts.

Twenty years of internal conflict have resulted in strong censorship and political control of the media, primarily using the media to raise support for the war. It is, therefore, essential to be aware of the impacts and causation of information in Sri Lanka and strictly maintain that sources are not be put at risk as well as be attentive to the diversity of political groups within every community and between various communities and regions.

Whilst recognising that information can increase tension and put people at risk, NGOs must strive to put their findings into the public domain making lessons and knowledge available to others, including the media and uphold their valuable mandate to respond, address and highlight urgent concerns, as well as sharing information on important local, island wide and international issues.

The principle of transparency may need qualification in selected situation as information sources may sometimes require protection and the information they provide may need to be treated with confidentiality. This is of particular relevance to collecting sensitive information about individual ethnic communities or groups within communities such as women who may be experiencing harassment, physical and/or sexual assault in camps. Information gathering must be sensitive to the uncertainty and anxiety that can exist among and within communities, particularly in multicultural areas.

NGOs must ensure not to build on such concerns by extracting information that will contribute primarily to an individual NGO's own publicity and are cautioned to avoid any competition with other rehabilitation and development efforts. Consideration of the concerns and aspirations of the broader and diverse populations in Sri Lanka is more likely to promote stable and sustainable peace. Local staff working for international NGOs, though a part of Sri Lanka's civil society, are also representing an external organisation and should be mindful of this mandate in their professional capacity so as to not re-enforce any unequal power relations or suspicious within communities and between local and international NGOs. Lack of

inclusive processes in information sharing can also give rise to resentment and suspicion.

On the other hand, sensitivity with regard to media work should not restrict timely and clear information made available to all local and international actors on various aspect of ongoing relief work to avoid confusion, fear and a dependency on rumours and dominant figures in the camp. Outbreaks of inter-communal violence in Sri Lanka have been known to be triggered by minor incidents or rumours and especially in mobilising young people for violent clashes with members of other communities.

Systematic information sharing and joint analysis and learning are particularly important in regard to registering people, upcoming medical clinics, provision of rations, legal status, land deeds, compensation prospects and future administrative plans for the camps and displaced persons. Women are less likely than men to have access to assistance related information during disasters; it is, therefore, important to ensure women's equal access to information and provide women with direct information, such as to avoid the common occurrence of women receiving second-hand information that may be delivered selectively or in a distorted manner.

Such information gathering must involve and promote both local and international dialogue, enhance and develop local networks on policy issues from community to Government, and facilitate the building and strengthening of local civil society networks towards people driven peace, equitable and a sustainable development process in Sri Lanka.



ANNEX

- **List of Acronyms**

- **Reference documents used in developing the IFRC/ ICRC Annotations**

- **Trincomalee Consultative Meetings**

- **List of Supplementary Documents**

List of Acronyms

| | |
|----------|--|
| ADB | Asian Development Bank |
| CESVI | Cooperation and Development: Italian Independent Association |
| CFA | Cease Fire Agreement |
| CHA | Consortium of Humanitarian Agencies |
| CIDA | Canadian International Development Agency |
| CPA | Centre for Policy Alternatives |
| DFID | Department for International Development |
| DRC | Danish Refugee Council |
| DWG | Donor Working Group |
| CARITAS | Catholic Agency for Justice Peace and Development |
| FCE | Foundation for Co- Existence |
| FLICT | Fund for Local Initiatives for Conflict Transformation |
| GA | Government Agent |
| GTZ | Deutsche Gesellschaft fuer Technische Zusammenarbeit |
| HRC | Human Rights Commission |
| ICRC | International Committee of the Red Cross |
| IDP | Internally Displaced Persons |
| IFRC | International Federation of Red Cross Red Crescent Societies |
| IMCAP | Improving Capacities for Poverty & Social Policy Research |
| INGO | International Non- Governmental Organisation |
| INTERSOS | Italian NGO |
| JBIC | Japan Bank for International Cooperation |
| LTTE | Liberation Tigers of Tamil Eelam |
| MWRAF | Muslim Women's Research and Action Forum |
| NGHA | Non Governmental Humanitarian Agency |
| NGO | Non- Governmental Organisation |
| NORAD | Norwegian Agency for Development Cooperation |
| SAPNA | South Asian Perspectives Network Association |
| SIDA | Swedish International Development Agency |
| SSA | Social Scientists' Association |
| TRO | Tamil Rehabilitation Organisation |
| UMCOR | United Methodist Committee on Relief |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commission for Refugees |
| UNICEF | United Nations Children's Fund |
| USAID | United States Agency for International Development |
| VSO | Voluntary Service Overseas |
| WB | The World Bank |
| WFP | World Food Programme |

WUSC
ZOA

World University Service of Canada
Christian Organisation for Humanitarian Assistance

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1. CHA, Trincomalee Office
2. Eastern Rehabilitation Organisation
3. Kinniya Vision
4. NGO Consortium
5. Tamil Rehabilitation Organisation
6. Trincomalee District Development Association
7. Trincomalee Women's Welfare Organisation
8. United Women's Organisation
9. Social Service Education and Development Organisation

Local Government Bodies

10. Assistant to Government Agent, Trincomalee District
11. Divisional Secretary, Muthur
12. Grama Sevaka Officer, Eachaalpattu
13. Human Rights Commission, Trincomalee
14. Trincomalee Tsunami Taskforce (UNV)

Local Private Sector

15. Chambers of Commerce, Trincomalee District

International Donors

16. GTZ, Trincomalee
17. Doctors of the World
18. Mercy Corps
19. UNDP
20. UNHCR
21. USAID
22. DRC

Individuals

23. Correspondent, The Sunday Times, Trincomalee
24. Two men of a coastal community not engaged in fishing activities
25. Several female and male Micro entrepreneurs that have lost their livelihoods

Meetings/Workshop

26. Workshop on 'Do No Harm Principles and Conflict Sensitivity in post-Tsunami Northeast' (organised by GTZ)
27. Coordination Meeting: attended by Bergdorf Foundation, CESVI, CHA Colombo, CHA Trincomalee, Christian Aid, DRC, EHED/CARITAS, Hellenic Aid, ICRC, INTERSOS, GTZ, GTZ - PIP, Mercy Corps, OXFAM, Save the Children, UMCOR, UNHCR, USAID, WFP, WUSC, ZOA Refugee Care

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