



UNHCR's programme  
for internally displaced  
persons in Sri Lanka

*Report of a joint appraisal  
mission by the UK  
Department for  
International Development  
and UNHCR*

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# Executive summary

## Review objectives

This review of UNHCR's programme for internally displaced persons (IDPs) in Sri Lanka was conducted from 6-14 September 2001 to gain an insight into UNHCR's policies and performance in the country. It was also the first joint review of a UNHCR programme by DFID and UNHCR's Evaluation and Policy Analysis Unit (EPAU). EPAU's participation in this review was at the invitation of DFID, an expression of its support for UNHCR's new evaluation policy, which emphasises the value of joint reviews.

## The programme

In its *Global Appeal 2001*, UNHCR states that its programme in Sri Lanka provides assistance to some 412,400 internally displaced persons (IDPs), at an annual cost of US\$6.8 million. The total number of IDPs in Sri Lanka is estimated at around 800,000.

The programme's objectives as set out in UNHCR's *Global Appeal 2001* are:

- to improve access to national protection and humanitarian assistance for IDPs in the north and north-east of Sri Lanka;
- to minimise internal displacement and provide alternatives to flight from regions of instability;
- to stabilise displaced communities and provide conditions for solutions;
- to facilitate the return and reintegration of displaced populations, with particular attention to vulnerable groups;
- to advocate for the implementation of policies that protect the rights of the displaced and other victims of the conflict; and,
- to extend the capacity of the government, NGOs and displaced communities to respond to displacement and bring about lasting solutions.

## Key findings

The review team found UNHCR's Sri Lanka programme to be strong and effective, with an efficient decentralised structure, coherent protection strategy and a committed and capable staff base.

Assessed in terms of its stated objectives, and taking into account the difficult nature of the operational environment, the UNHCR programme in Sri Lanka is making a significant positive impact. The review team was convinced that UNHCR has

enhanced the protection and security of IDPs in Sri Lanka by acting to prevent or limit the scale and severity of the human rights violations taking place and by strengthening and supporting national human rights organisations. In addition, UNHCR has improved the material circumstances of IDPs by providing services and additional resources to the population that the parties to the conflict are unable or unwilling to provide. It has also made substantial steps towards finding solutions for the IDPs through its engagement in and input to the relocation/resettlement process.

The re-orientation of UNHCR's programme to a rights-based approach based on The Guiding Principles on Internal Displacement has provided a clear framework for protection activities. UNHCR field staff and implementing partners are well aware of their role in, and input to, protection. The programme's emphasis on needs-driven, flexible project identification and implementation appears to have enhanced stakeholders' sense of ownership of the projects, as well as their ultimate effectiveness. The review team therefore concluded that the programme strategy was appropriate and effective, and that it enabled UNHCR to exploit to good effect its comparative advantages in Sri Lanka such as its strong field presence, protection mandate, and ability to respond quickly to changing circumstances.

That said, there were also several areas where UNHCR could do more to maximise its impact. The review team would therefore urge UNHCR to address the following issues:

- the decentralisation of the programme has led to a degree of fragmentation, with the work of different offices reflecting the personalities and profiles of the individuals deployed there. In particular, the team noted the strength of the community services work in Trincomalee and felt that there was scope for similar work in Vavuniya. It was also felt that this work might be renamed 'community mobilisation' and greater beneficiary participation invited to reflect this. The Colombo Branch Office should ensure regular field visits in order to maintain consistency in the programme.
- there is scope for continued and redoubled advocacy efforts with the government and local authorities to encourage them to allocate land and resources for relocation programmes, reform the pass system, improve the level of assistance being given to those in their care and increase the opportunities for people to participate in decisions concerning their own lives. UNHCR should also continue and redouble its advocacy efforts with the LTTE.
- UNHCR has made efforts to improve living conditions in Government Welfare Centres, but should continue to encourage the government to do more, including in the improvement of material living conditions, services and sanitation. Where this is impossible, UNHCR should try to do more itself to improve conditions.
- UNHCR is unable to provide protection and assistance to the vulnerable IDP population in Batticaloa (and the rest of the Eastern Province) because it has no field presence there. The review team therefore felt that UNHCR should give serious consideration to the establishment of a small sub-office in Batticaloa.

## EXECUTIVE SUMMARY

UNHCR Sri Lanka has made a considerable effort to ensure its programme achieves maximum impact within limits that ensure staff safety. However, resource constraints mean that one office was a radio short and that another did not have sufficient security equipment for all staff and visitors. The Mannar office could not be permanently staffed because its double-insulated 'bunker' room had not yet been constructed. The review team therefore urges UNHCR to ensure that adequate resources are devoted to this important issue.

The team was disappointed to note that UNHCR's experience in Sri Lanka has not been the subject of any detailed analysis or assessment from UNHCR headquarters since the early 1990s. The team felt strongly that UNHCR as an organisation should endeavour to fully analyse and document its experience in Sri Lanka, learning and sharing lessons from this strong programme, so to better develop the organisation's policies towards IDPs worldwide.



## Introduction

1. The UK Department for International Development (DFID)'s Conflict and Humanitarian Affairs Department (CHAD), DFID Sri Lanka (DFID SL) and the United Nations High Commissioner for Refugees (UNHCR) agreed that DFID and UNHCR's Evaluation and Policy Analysis Unit (EPAU) would conduct a joint review of UNHCR's programme for internally displaced persons (IDPs) in Sri Lanka from 6 September to 14 September 2001. This followed a DFID review of the programme in March 2000. The 2001 review was undertaken by Nicola Jenns (CHAD), Jeff Crisp (EPAU), Anthea Mulakala (DFID SL) and Rachel Lavy (DFID consultant). They were accompanied by Michael Lindenbauer (UNHCR Senior Protection Officer, Colombo), although meetings with implementing partners and other agencies took place without representatives of UNHCR Sri Lanka being present. Terms of Reference for the review are in Annex 1.
2. DFID has supported and developed a close working relationship with UNHCR's Evaluation and Policy Analysis Unit over the past two years. EPAU's participation in this review was at the invitation of DFID, an expression of its commitment to this relationship and support for UNHCR's new evaluation policy, which emphasises the value of joint reviews.
3. The team met with a wide range of UNHCR staff in Colombo and the field (Vavuniya, Mannar and Trincomalee), as well as with internally displaced persons in a number of welfare centres and relocation villages. They also interviewed representatives of UNHCR's implementing partners (both in Colombo and the field), other multilateral agencies, including United Nations Office of the Security Coordinator (UNSECOORD), the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC), the National Human Rights Commission, the Sri Lankan Bar Association, members of the local human rights community, Government and local authorities and the Sri Lanka Army (SLA).
4. The review focussed on UNHCR's programme for IDPs in Sri Lanka, and did not aim to assess UNHCR's other (and much smaller scale) activities with refugees and returnees in Sri Lanka or its role in relation to the return of unsuccessful Sri Lankan asylum-seekers from Europe and other parts of the world. Despite the intensive itinerary arranged for the team by UNHCR, time and security constraints prevented them from visiting Liberation Tigers of Tamil Eelam (LTTE)-controlled areas of Sri Lanka or the Jaffna peninsula, although it was possible to meet and talk with UNHCR staff working in these areas. This report therefore does not claim to be a comprehensive review of the entire UNHCR programme in Sri Lanka, but reflects those aspects of the programme for IDPs that the team was able to observe.
5. The team held wrap-up meetings at each UNHCR Field Office as well as UNHCR's Branch Office in Colombo to discuss the key findings and likely recommendations arising from the review.



## Overview of UNHCR's programme in Sri Lanka

### **The conflict in Sri Lanka: internally displaced persons and refugees**

6. The main parties to the conflict in Sri Lanka are the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). The conflict is complex and has been going on since the early 1980s, when growing ethnic, religious, and socio-economic tensions culminated in armed conflict between the predominantly Sinhalese Government and armed forces, and the LTTE, a secessionist movement representing the minority Tamil population in the north and east of the country. A recent internationally-brokered peace initiative has stalled and there is little likelihood of a peace agreement in the near future. Although the conflict is mainly restricted to the northern and north-eastern areas of the island, the area claimed by the LTTE extends across the north and east of Sri Lanka and sporadic violence occurs elsewhere from time to time. There is a continued flow of asylum-seekers and migrants from Sri Lanka to India and the rest of the world, as well as considerable internal displacement within Sri Lanka.

7. The number of IDPs in Sri Lanka is currently estimated at around 800,000. Official Government statistics do not exist and this estimate is based upon the number of people receiving food aid. Of the displaced, an estimated 185,000 are accommodated in government welfare centres, which vary both in number of inhabitants (from a few hundred to around 10,000) and in the level of restriction of movement for residents. Living conditions in the centres are poor, with overcrowding and high levels of alcoholism, suicide, sexual and domestic violence and prostitution. Many residents have been in such centres for years, becoming almost institutionalised, whilst young residents may never have known life outside the centres. Those IDPs who avoid the centres find shelter where they can in informal settlements. Displaced people living in LTTE-controlled areas do not live in centres or camps, but instead stay with relatives or friends or in whatever shelter they can find. Some 12,000 IDPs in the LTTE-controlled area continue to seek refuge and assistance in the Madhu Open Relief Centre, where UNHCR maintains a full-time protection presence. The main areas of population displacement within Sri Lanka are shown on the map at Annex 3.

8. Life is hard for IDPs in Sri Lanka. Civilians are continually caught up in violence and displacement is fluid as front lines change. Many people have experienced multiple displacement over nearly 20 years of conflict. This continues to pose enormous challenges for the displaced, UNHCR and donors alike. The Government of Sri Lanka seeks to manage the conflict by imposing a series of emergency legal provisions (including a pass system) to control population movement and forcibly displacing the civilian population through occupation of land by military forces. Security issues include lack of differentiation of police and military roles, lack of control by government of large sectors of the country, and lack of accountability of conduct by armed groups. These and other problems have led to protracted and considerable hardship amongst civilians.

9. Some areas of the country are controlled by the LTTE which considers itself to be a government-in-waiting for 'Tamil Eelam'. Although no match for the Sri Lanka armed forces in resources and numbers, the LTTE is an effective armed force, with a naval capacity and heavy artillery, and deploying guerrilla tactics, including suicide bombings. The LTTE includes child soldiers in its ranks, conscripting both boys and girls direct from school despite international assurances to the contrary.

### **Programme history and overview**

10. UNHCR has been present in Sri Lanka since 1987, when it began to assist with the repatriation and reintegration of Tamil refugees from India. The repatriation programme continued intermittently (when conditions allowed) until 1995. At the same time, UNHCR became progressively more involved with Sri Lanka's growing population of IDPs, many of whom were to be found in the same areas to which the refugees were returning. In 1990, the Government of Sri Lanka formally asked UNHCR to provide assistance to IDPs on both sides of the 'forward defence line' (FDL). This arrangement was formalised in a 1993 Memorandum of Understanding between UNHCR and the Sri Lankan government. The extension of UNHCR's mandate to cover assistance to IDPs in Sri Lanka was agreed by the UN Secretary General in 1991 and reaffirmed in a March 1997 letter from the UN Secretary-General's office, stating that UNHCR "may continue to co-ordinate the UN efforts for humanitarian and relief assistance for internally displaced persons in Sri Lanka."

11. According to UNHCR's *Global Appeal 2001*, 412,400 IDPs live in areas where UNHCR has a presence and benefit from its assistance. Some 713,000 IDPs in both government and LTTE-controlled areas also receive some assistance from the authorities. UNHCR operates on both sides of the forward defence line and has regular contact with both the SLA and LTTE, who afford UNHCR staff and their vehicles safe passage.

12. UNHCR's budget for Sri Lanka in 2001 is US\$6.8 million and the programme's objectives as set out in UNHCR's *Global Appeal 2001* are:

- to improve access to national protection and humanitarian assistance for IDPs in the north and north-east of Sri Lanka;
- to minimise internal displacement and provide alternatives to flight from regions of instability;
- to stabilise displaced communities and provide conditions for solutions;
- to facilitate the return and reintegration of displaced populations, with particular attention to vulnerable groups;
- to advocate for the implementation of policies that protect the rights of the displaced and other victims of the conflict; and,
- to extend the capacity of the government, NGOs and displaced communities to respond to displacement and bring about lasting solutions.

## OVERVIEW

13. UNHCR currently has seven offices in Sri Lanka: the Branch Office in Colombo and Field Offices in Jaffna, Madhu, Mallavi, Mannar, Trincomalee, and Vavuniya. These are staffed by 73 personnel, including 13 international professional staff, three JPOs, eight UNVs and 49 national staff. UNHCR's implementing partners in the country include one governmental and 12 non-governmental agencies, the majority of which are national NGOs.



# Review of UNHCR's programme for IDPs in Sri Lanka

## Programme strategy

14. Over the past four years, UNHCR staff in Sri Lanka have engaged in a rigorous process of analysis, self-evaluation, consultation and planning, making considerable effort to re-orientate the programme so as to focus more directly on the organisation's statutory tasks of protection and the pursuit of durable solutions for those in its care. They have developed a programme which is clear in its objectives and strategy, as set out in the 2001 Country Strategy for Sri Lanka and the 2002 Country Operations Plan. A central plank of this is the use of the UN SG's Representative on Internally Displaced Persons' *Guiding Principles on Internal Displacement* as the foundation for the protection strategy of the programme.

15. The management and operational structure of the Sri Lanka programme has also been overhauled to deliver greater effectiveness and efficiency. This has been done by:

- the decentralisation of UNHCR's operational structure, with decisions on programme implementation and day-to-day programme management being fully delegated from Colombo to the field offices, thereby freeing up the Colombo Branch Office staff to concentrate on central strategy and planning;
- the reconceptualisation of programme objectives so as to emphasise protection, solutions and livelihoods, in place of the earlier focus on the provision of material assistance and the implementation of microprojects.
- the introduction of 'bottom-up', needs-driven programme planning and project identification, actively involving and empowering IDPs and other local residents to identify and prioritise their own needs and potential solutions. To facilitate this, the programme has been made more flexible, with the removal of the need to disburse funds according to rigidly allocated 'sectors'; and,
- an effort to develop better relationships with non-governmental implementing partners, and a concerted effort to treat such agencies as partners rather than as contractors.

16. Whilst more progress had been made in some of the areas outlined above than in others, the positive impact of the shift in orientation was clearly evident during the review. The *Guiding Principles* have given a clear framework for protection activities and all UNHCR field staff and implementing partners were clear in their role in, and input to, protection. Similarly, the shift towards needs-driven, flexible project identification and implementation appears to have enhanced stakeholders' sense of ownership of the projects, as well as their ultimate effectiveness. The review team concluded that the programme strategy was appropriate and effective, and that it enabled UNHCR to exploit to good effect its

comparative advantages in Sri Lanka such as its strong field presence, protection mandate, and ability to respond quickly to changing circumstances.

17. The coherence of the strategy should be further enhanced with the completion towards the end of 2001 of the *Situational Analysis Report* currently under development within UNHCR Sri Lanka (facilitated by the secondment of a staff member from the Danish Refugee Council). This project aims to develop a comprehensive picture of the IDP situation in Sri Lanka, using the *Guiding Principles* as the framework of analysis. Once complete, it is hoped that the report will support UNHCR's planning, programming, monitoring and advocacy efforts. It is an innovative project, and one that the review team felt should be evaluated on completion in order to gain maximum benefit from it, as well as to gauge possibilities for its future development and potential replication in other IDP situations.

### **Programme impact**

18. Assessed in terms of its stated objectives, and taking into account the difficult nature of the operational environment, the UNHCR programme in Sri Lanka appears to be making a significant positive impact. This opinion was echoed by the representatives of implementing partners, other operational agencies, human rights groups and internally displaced people that the team met. Many also said that the UNHCR programme in Sri Lanka prevents the forced return of IDPs to unsafe areas, and has not only improved the security of IDPs, but has also significantly enhanced security for other residents of the north and east of the country. However, it must be recognized that IDPs in Sri Lanka continue to live in very precarious circumstances, at constant risk of violence and intimidation. UNHCR's work is making a great difference, and it is not always easy to identify ways in which the organisation could use its finite resources to achieve a greater impact, but it should continue to strive to do so.

19. Recognizing the validity of the 'do no harm' principle, UNHCR has been careful to ensure that its programme in Sri Lanka has no negative or unintended consequences. While both parties to the conflict have tried to manipulate the UNHCR programme and the IDPs, including by the movement or location of people to suit political and military strategic aims, UNHCR has taken considerable trouble to avoid any part in this.

20. Some critics of UNHCR's involvement with IDPs in Sri Lanka believe that UNHCR's presence serves as a disincentive for the warring parties to assume full responsibility for people living in areas under their control. It has also been suggested that UNHCR's presence and programme in Sri Lanka provides an unwarranted legitimacy to the warring parties, or that its assistance means that parties to the conflict are then able to divert their resources towards military rather than humanitarian ends. While such arguments cannot be entirely discounted, they hardly constitute a serious case against a UNHCR programme which appears to be having a particularly positive impact on such a large and vulnerable IDP population.

### Protection and material assistance

21. The UNHCR programme in Sri Lanka is rigorously based upon UNHCR's statutory tasks of protection and the pursuit of solutions. UNHCR's systematic use of the *Guiding Principles* as the basis for its protection, advocacy, training, planning, programming, project implementation, monitoring and situational analysis in Sri Lanka is perhaps unique in a situation of internal displacement worldwide. In particular, UNHCR Sri Lanka has re-orientated its approach to microprojects, ensuring that protection, social and economic rights are fully taken into account in the process of project identification, design and implementation. All implementing partners and field staff questioned had a clear idea of their individual roles in the wider protection strategy and were also well aware of the importance of 'protection by presence'. They were all familiar and comfortable with the *Guiding Principles* and their practical application. This may well be the result of UNHCR Sri Lanka's efforts, in association with the Consortium of Humanitarian Agencies (CHA) in Sri Lanka, to develop a 'toolkit' guide for humanitarian personnel, offering practical guidance on the implementation of the *Guiding Principles*. All project proposals have to be drawn up with specific reference to the *Guiding Principles*, which also greatly increased field workers' familiarity with them.

22. The review team was convinced that UNHCR, as a result of its own and its implementing partners' field presence, as well as its advocacy and interventions with other stakeholders, especially the SLA and LTTE, has enhanced the protection and security of IDPs and other residents in Sri Lanka. In particular, their presence has acted to prevent or limit the scale and severity of the human rights violations taking place.

23. UNHCR has made particular effort in sensitive and difficult issues such as promoting freedom of movement and safe passage, acting as an intermediary between displaced people and the security forces, addressing the issue of child soldiers in LTTE-controlled areas (in co-operation with UNICEF) and ensuring the registration of children born to displaced parents. These efforts have been rewarded with a degree of success, for example, a reduction in the number of categories of passes governing people's freedom of movement in the Vavuniya area, as well as examples of conscripted child-soldiers being returned to their families in LTTE-controlled areas.

24. As part of its protection strategy, UNHCR has also made efforts to strengthen the capacity of national and local human rights institutions in Sri Lanka. Most notable in this respect are its support for and work with the Human Rights Commission, the Sri Lankan Bar Association and Sri Lankan implementing partners. UNHCR has also empowered displaced populations through their greater participation in decision-making and the development of needs-driven programming. These efforts have developed national protection capacities, which UNHCR supports and backs-up with its international, United Nations voice. Despite the considerable and impressive efforts of the national groups, this international support is crucial in particularly sensitive issues, for example, reform of the pass system, which Sri Lankan nationals might not be in a position to press. The UN Office of the High Commissioner for Human Rights (OHCHR) does not have a field presence in Sri Lanka and therefore is not able to offer any support in this respect.

25. DFID's review of the Sri Lanka programme in March 2000 noted that, at that time, 'UNHCR did not provide any low-level legal or para-legal advice to IDPs to inform them of their entitlements and obligations, although there appeared to be a widespread need for this kind of assistance.' UNHCR has made significant efforts to address this concern, particularly through its support for the *Legal Aid for Internally Displaced Persons* project that has recently been launched by the Legal Aid Foundation and Bar Association of Sri Lanka. The programme is still in its infancy, but it has considerable potential and early indications are very encouraging. A network of seven offices has already been established across the country where IDPs can request free legal assistance on any issues relating to internal displacement. The lawyers involved offer their services to the programme for one fifth their usual rates and also provide advice on a free IDP telephone hotline if required. The plan is to extend the service to other towns as well as to hold legal clinics in welfare centres and villages to ensure maximum coverage and access to justice for those in need. To ensure its success, it is important that the project is well publicised so that IDPs are aware of it and encouraged to use it. UNHCR could perhaps help in this regard.

26. The Government of Sri Lanka provides only limited assistance to IDPs on both sides of the FDL, and UNHCR has improved the material circumstances of IDPs by providing services and additional resources to the population that the parties to the conflict are unable or unwilling to provide. UNHCR has also played a valuable role in easing restrictions on the passage of humanitarian goods to conflict-affected populations and in expanding the range of activities that humanitarian agencies are authorised to undertake. This has often made it possible for people to remain in the area where they are living and has consequently limited the scale of displacement.

27. UNHCR is in a somewhat unusual situation in Sri Lanka in that many of the beneficiaries it assists live in Government Welfare Centres (GWCs), where UNHCR's capacity and scope for intervention is often constrained. Nevertheless, UNHCR has made efforts to improve living conditions where possible, but should, wherever possible, continue to encourage the government to do more, including in the improvement of material living conditions, services and sanitation. Where this is impossible, UNHCR should try to do more itself to improve conditions.

## **Solutions**

28. UNHCR has an important role to play in monitoring and advising the Ministry of the North's ongoing relocation of IDPs from the GWCs to relocation or resettlement villages. UNHCR tries, and should continue, to monitor this process to ensure that it is voluntary, dignified and carried out with the full knowledge and participation of IDPs, including in the design of their new homes. The process of resettlement (whereby IDPs return to their place of origin) and relocation (whereby they are moved from welfare centres to temporary or permanent sites where they can live safely and resume productive activities) is currently underway in the Vavuniya area. UNHCR's efforts to establish safe and well-provisioned relocation villages have made a significant positive impact, and meant that IDPs are consulted and involved in village planning.

29. On the practical side, UNHCR's involvement has ensured that relocation villages conform to Sphere Humanitarian Charter and Minimum Standards, reinforcing the protection available to the residents and affording privacy while

simultaneously fostering a community feeling to the new villages. Another notable UNHCR contribution is the design and provision of a tubular metal house-frame to facilitate village construction whilst also protecting local forests by averting the need for timber to be cut. The frame provides for a well proportioned house, which can be dismantled and re-erected elsewhere if necessary. Local vocational training schemes provide the metalwork.

30. Whilst the review team was impressed by these efforts and convinced of their value, it was also felt that UNHCR and its partners in the Vavuniya area should aim to broaden their assistance from the 'hardware' of relocation: clearing the land, building roads, digging wells, erecting schools and providing shelter. In particular, UNHCR could pay more attention to the 'software' of relocation: promoting community development and organisation, addressing the different needs and capabilities of women, men, children, adolescents and the elderly and assisting individuals and communities to overcome the effects of a prolonged period of residence in welfare centres. The team noted the strength of the community services work in Trincomalee where they saw examples of the way that UNHCR and its implementing partners have pursued the task of community mobilisation and organisation, including by empowering women to take up leadership roles in displaced communities. The team felt that that there was scope for similar work in Vavuniya, where the Community Services post is currently vacant. UNHCR should aim to fill it with a qualified candidate as soon as possible, and also give serious consideration to upgrading the status of the post, affording more attention to community services activities in accordance with the organisation's recently established Community Development Policy. In addition, UNHCR could consider renaming the community services work community mobilisation or development and try to invite greater participation accordingly.

31. UNHCR has played a valuable role in building local acceptance of the relocation villages through its efforts to ensure that that these also bring tangible assets, such as access roads and wells, which the local population can share. The value of this goodwill should not be underestimated in a context where regular development activities have been severely curtailed.

32. The relocation/resettlement process is ongoing and UNHCR has made efforts to ensure that IDPs in the GWCs have a good level of information prior to any decision on a potential move. However, the review team felt there was scope for such information and awareness-raising campaigns to be extended to help people cope better with what is a very significant life change. UNHCR should also continue and redouble its efforts to encourage the Ministry of the East to implement similar, voluntary relocation and resettlement initiatives in areas it administers. It is hoped that recent political developments may present greater opportunities for this. UNHCR could also use its good relationships with local Government Agents as an opportunity to raise awareness and inform them of good practice in other areas.

33. UNHCR also needs to consider how long and at what level it will remain involved with the IDPs once they have been resettled. Residents of new villages who were interviewed by the review team clearly appreciated UNHCR's continued presence, monitoring and assistance, believing that this offered them substantial protection. UNHCR must therefore consider how best to balance this with demands on its staff's time as new caseloads of IDPs are also moved out from GWCs.

### Operational structure and geographical coverage

34. The current operational structure has been in place since September 1999, when the UNHCR programme for IDPs in Sri Lanka was decentralised. Day-to-day management of field programme now rests with the UNHCR office in Vavuniya, where a critical mass of government, non-governmental and UN agencies also have offices. Reporting to the Branch Office in Colombo, the UNHCR office in Vavuniya coordinates the work of the other field offices, including Trincomalee which in turn co-ordinates the work of the Jaffna office.

35. This operational structure has proven to be effective and efficient. The review team found that there were good relations and communication between Colombo, Vavuniya and the field offices, apparently without the tensions or frustrations that can sometimes arise in difficult and volatile operations like Sri Lanka. Good personal relationships undoubtedly play a part, as does the clear division of labour and responsibilities between offices, with Colombo responsible for policy and programme strategy, and Vavuniya for programme implementation. All field staff questioned said that they felt well supported by the Colombo Branch Office.

36. The review team did feel however that decentralisation of the programme had led to a degree of fragmentation, with the work of different offices reflecting the personalities and profiles of the individuals deployed there. Regular field missions by Colombo-based staff to all aspects of the programme could help ensure consistency, as could greater opportunities for field staff to develop their own skills by exposure to parts of the operation where they do not normally work.

37. When UNHCR established its programme in Sri Lanka in 1987, the location of its field offices was determined according to the location of most of the returnees to whom it was providing assistance. These were generally, but not exclusively, also the areas in which most IDPs were to be found. However, whilst the programme has been re-orientated towards protection and assistance to IDPs, its geographical coverage has not been revised accordingly. The location of most offices is still valid, but the review team was concerned that UNHCR was not able to provide protection and assistance to the significant IDP populations in Batticaloa (which was not a significant returnee area) and other parts of the Eastern Province because it has no field presence there. Many of the IDPs there live in GWCs, are extremely vulnerable and could benefit greatly from UNHCR's protection. In countries of asylum, UNHCR works on the assumption that it should have access and provide appropriate services to all refugees, irrespective of their location. The review team felt strongly that this principal should be applied in Sri Lanka.

38. The review team therefore felt that UNHCR should give serious consideration to the establishment of a small sub-office in Batticaloa, which could be co-ordinated from Trincomalee. This could perhaps be co-located with the existing UNICEF office there and staffed by one international staff member and a driver. The signal UNHCR's presence in Batticaloa would send and the positive impact this could make throughout the Eastern Province could be substantial. There would obviously be resource implications in the establishment of a new sub-office, but the team felt that, given the positive impact of UNHCR's programme in areas where it is operational, consistent coverage was important. The team also felt that UNHCR could usefully monitor the situation of IDPs in the Puttalam area, many of whom are

Muslims who were forced out of the Vanni by the LTTE in the early 1990s. Sri Lanka's Muslim population appears to feel vulnerable and somewhat neglected by the international community at the moment. A positive engagement with them by UNHCR might serve both to promote their protection and also build confidence between communities.

39. The team also noted that there is currently no full-time UNHCR presence in Mannar, an isolated area close to the conflict front lines and with a large IDP population. Mannar is the principal area for refugee departures to India and for potential returns. There is a small UNHCR sub-office in the town, but security restrictions (and in particular, the lack of a double-insulated bunker facility) mean that this is only staffed on an intermittent basis. The team felt that UNHCR should make every effort to enhance the security facilities at the Mannar office to allow field staff to be safely based there full-time.

### **Human resources**

40. The review team was very impressed by the team spirit and high level of individual competence, enthusiasm and commitment demonstrated by the UNHCR staff in Sri Lanka. Over the past year, the UNHCR Sri Lanka team has been tested by potential and actual cuts to the programme under the Actions 123 exercise and by staff turnover, as well as by developments within Sri Lanka itself. It was clear to the review team that the staff's response to this had been to work together rather than pull apart, and this is to be commended.

41. There were however a number of human resources issues, some within and others outside UNHCR's control, which concerned the review team:

- Both the Representative and Senior Co-ordinator posts, the two most senior posts in the Sri Lanka programme, were being covered by interim appointments (the Representative post having been vacant for nearly a year). In both cases, the interim appointments have been excellent and proved more than equal to the job, maintaining the programme's direction and momentum and bringing relevant experience to their work. However, the additional work involved by these interim appointments places great pressure on both the incumbents and their colleagues. UNHCR should aim to confirm or appoint a Representative and Senior Co-ordinator as soon as possible.

- Any stress that was noted within the UNHCR team tended to be in those who were due to leave Sri Lanka in the near future, but had not yet been appointed to another post. This again is an issue for UNHCR's central posting procedure to address.

- The Sri Lanka programme depends heavily on UNVs (as well as JPOs and secondments from other agencies) and makes very effective use of them. However, their role and status is unclear and could benefit from clarification, for example, to what extent is a UNV posting supposed to provide training and hence the possibility of more regular employment with UNHCR? In a hard-pressed operation like Sri Lanka, there is a danger of UNVs being given more responsibility than should be expected of them, such as acting as head of a Field Office for weeks at a time. This gives UNVs concerned a great deal of job

satisfaction, but also brings considerable pressure. UNHCR should continue to ensure they are adequately supported.

### **Financial resources**

42. The UNHCR programme in Sri Lanka is fully funded and, whilst more can always be done with more resources, all staff appeared satisfied with the level of resources available and UNHCR's efforts to make effective use of them. The limited programme and post cuts as a result of Action 2 have been successfully absorbed. Most funding-related difficulties raised appeared to derive from the timing of contributions from donors to Geneva, and then from Geneva to Colombo. This can cause cash-flow problems, particularly at the beginning and end of the year, leading to the late commencement, reduction or even cancellation of activities planned by UNHCR and its implementing partners. Donors could help ameliorate this by providing their contributions in a predictable and timely manner.

43. The UNHCR programme in Sri Lanka is relatively modest in global terms with a total annual budget of under \$7 million, but its efforts to maximise its impact and overall effectiveness through partnerships with other operational agencies are commendable. Examples of this are UNHCR's strong co-operation with the World Bank's North Eastern Agricultural Irrigation Project (NEAIP), a project spanning the north-east of the island and predominantly monitored for the World Bank in the field by UNHCR and ICRC staff, UNHCR's work with UNICEF to help prevent the conscription of child soldiers by the LTTE and also UNHCR's encouragement of implementing partners with a poverty-alleviation and development focus to address protection issues.

### **Partnerships**

#### *Relations with other agencies*

44. UNHCR enjoys good working relationships with other UN and other agencies both in Colombo and the field. Much of this is due to good personal relationships between agency staff, frequent formal and informal contact and regular dialogue to clarify and minimise the overlap of respective mandates, for example in protection work with the ICRC and UNICEF. Continued effort will be needed to sustain these open and constructive working relationships in the future when key interlocutors from the other agencies move on. This is particularly important in protection in order to avoid overlap and duplication, but also to prevent any opportunity from arising where authorities may seek to play agencies off against each other.

#### *Relations with implementing partners and beneficiaries*

45. Implementing partners also appeared content with their working relationships with UNHCR. All considered that they have good levels of contact with UNHCR field staff, and that the field staff were responsive to their suggestions and concerns, and were open and easy to talk to. Partners (particularly at field level, less so in Colombo) were also generally clear about UNHCR's new protection

strategy, as well as their own role in its delivery. When asked, implementing partners said that they considered themselves to be fairly involved in the development of short-term or local strategy within the programme, for example through the nomination of projects and discussion of these with UNHCR field staff. However, they did not feel involved in the development of longer-term or wider strategy within the Sri Lanka programme. In particular, the recent decision by UNHCR Sri Lanka to evaluate the Revolving Loan Programme in Trincomalee and elsewhere, and to halt all new loans in the meantime, had been made without consultation and came as quite a surprise to the partners involved. It was felt by the review team that UNHCR had strong implementing partners in Sri Lanka (including Sewa Lanka, CARE, FORUT and the Sri Lankan Red Cross) and that these partners have a wealth of experience, as well as regular contact with the beneficiary populations. These partners, as well as the IDPs themselves, have much to contribute to the direction and success of the programme and, whilst working relationships with UNHCR were obviously warm and open as far as they went, the team nevertheless felt that opportunities for input from implementing partners and beneficiaries were being missed and that UNHCR should make an effort to address this.

46. Other frustrations raised by implementing partners related to issues largely outside UNHCR Sri Lanka's control, such as the difficulties presented by the annual programming cycle, which made it difficult to run longer term programmes without interruption, the timing of contributions (which often arrive late in the year, having been paid late by donors) and also financial controls which prevent the full administrative cost of projects being claimed from UNHCR and make it difficult for smaller, national NGOs to be implementing partners unless they have additional sources of income. Within these constraints, UNHCR should continue to make every effort to ensure that programme delivery is as consistent as possible, and that all implementing partners, be they large international NGOs or small local groups, have the opportunity to contribute to the programme. UNHCR could also simplify administration for partners by inviting project proposals on a village or welfare centre-wide basis, rather than insisting that every individual well, building project or service within the same village be the subject of a separate proposal.

*Relations with government and local authorities*

47. UNHCR has worked hard to develop effective working relationships with local and central government representatives, the SLA and the LTTE despite considerable constraints, not least some lack of political will to reform. The success of these efforts is largely determined by the personalities of the interlocutors involved, and UNHCR should be encouraged to persist in its efforts. In particular, there is scope for continued work with the Government Agents to encourage them to allocate land and resources for relocation programmes, reform the pass system, improve the level of assistance being given to those in their care and increase the opportunities of people to participate in decisions concerning their own lives. Although UNHCR works on both sides of the forward defence line at the invitation of the Government of Sri Lanka, the government has seen fit to place some restrictions on UNHCR's operations in LTTE-controlled areas, including on the passage of fuel and communications equipment. It is also important therefore that UNHCR should continue to raise this as a concern and lobby the government to have

these restrictions lifted as access to communications equipment in particular is essential to its staff's safety and ability to work effectively.

### **Emergency preparedness**

48. The situation in Sri Lanka is volatile. When conflict-related displacement occurs, it tends to be sudden and involve large numbers of people. It is therefore important that UNHCR has adequate preparedness and planning measures in place to enable it to respond quickly and appropriately. UNHCR is aware of this, and has contingency plans as well as stockpiles of supplies available for immediate use in emergencies. That said, UNHCR Sri Lanka is also aware that these measures are not yet as comprehensive as they might be and are not, in themselves, enough to ensure that the organisation would be able to cope in the event of a rapid-onset emergency.

49. UNHCR Sri Lanka has therefore put considerable effort over the past year into developing both its own emergency preparedness capacity and also emergency preparedness at an inter-agency level. To facilitate this, a new staff member, experienced in both emergency management and humanitarian work in Sri Lanka, has been recruited to the Colombo Branch Office to act as the emergency preparedness focal point. He has established an impressive programme of preparedness planning and training activities aimed at improving both UNHCR and its partners' ability to respond to emergencies. This is still at a relatively early stage, but the plan is comprehensive and achievements to date are encouraging. Notable amongst these are the Emergency Management Training Programme (EMTP) for South Asia which was recently hosted by UNHCR Sri Lanka, providing training for 35 UN, government and NGO staff (a second EMTP is planned for November), as well as several lesson-learning workshops to discuss and learn from crises and disseminate good practice in emergency preparedness and response. In co-operation with the UNHCR e-Centre in Japan, 50 scholarships have been established for staff to take distance learning courses on contingency planning, preparedness and emergency management. UNHCR's stockpiles of non-food items have also been replenished across Sri Lanka, and a review is underway to establish how best to position and manage these to ensure maximum flexibility in their use. UNHCR is also taking a pro-active role in inter-agency and governmental level emergency preparedness and response planning.

### **Security**

50. The ongoing conflict presents considerable concerns for the safety and security of UNHCR and its partners' staff and operations in Sri Lanka. Much of the area in which UNHCR operates in Sri Lanka is designated as UNSECOORD Phase 3, whilst the Vanni (LTTE-controlled) is currently UNSECOORD Phase 4 (preventing programme operation). UNHCR Sri Lanka is well aware of safety and security issues, as well as its responsibilities to its staff and those under the care of the Field Office heads who act as Area Security Co-ordinators. Tangible examples of decision-making by managers to reflect security considerations were seen during the review visit.

51. In co-operation with the experienced and capable UNSECOORD Field Security Officer (FSO) based in Colombo, UNHCR has made a considerable effort to

ensure its programme achieves maximum impact within limits that ensure staff safety. Central to this are the UN Minimum Operating Security Standards (MOSS), developed in Sri Lanka, which set out minimum standards, for example in communication and safety equipment, to be met if UN programmes are to operate. The review team was particularly pleased to see MOSS on clear display in offices such as Trincomalee. However, it is not the document itself which promotes safety, but the extent to which it is actually implemented on a day to day basis. Adherence to MOSS appeared to be good; for example, UNHCR vehicles carry flak jackets and hats for their passengers and staff members have radios. However, resource constraints meant that one office was a radio short and another did not have sufficient security equipment for all staff and visitors. It was also noted that the reason that the Mannar office could not be permanently staffed was because its double-insulated 'bunker' room had not been constructed yet. The review team therefore urges UNHCR to ensure that adequate resources are devoted to this important issue. As stated above, UNHCR should also continue to lobby the Government of Sri Lanka to allow it to take, for its own use only, essential communications equipment into LTTE-controlled areas.

52. Staff security training was also discussed during the review. UNHCR management and the FSO rightly assign great importance to staff security training, including landmine awareness, and ensure that all new staff are trained and all also receive regular refresher courses. This is commendable, and reflects the pro-active approach of both UNHCR and the FSO to security. UNHCR should ensure that this momentum is maintained after the current FSO leaves his post in the near future. It would also be beneficial for new UNHCR staff to receive security training prior to deployment to Sri Lanka.



## Conclusions

53. The review team found UNHCR's Sri Lanka programme to be strong and effective, with an efficient decentralised structure, coherent protection strategy and a committed and capable staff base. As this report has outlined, however, there were also several areas where UNHCR could do more to maximise its impact. The review team would therefore urge UNHCR to continue to work to address these issues, for example by the development of community services work in Vavuniya, redoubled advocacy efforts with the government, local authorities and also LTTE and the improvement of the material living conditions in the welfare centres. The team would also urge UNHCR to consider the extension of its programme to Batticaloa if possible.

54. Given therefore the size, significance and strong performance of the UNHCR Sri Lanka programme, the team was disappointed to note that UNHCR's experience in Sri Lanka has not been the subject of any detailed analysis or assessment from UNHCR headquarters since the early 1990s. The team felt strongly that UNHCR as an organisation should endeavour to fully analyse and document its experience in Sri Lanka, learning and sharing lessons from this strong programme, so to better develop the organisation's wider policies towards IDPs worldwide (as these programmes will continue to feature in the Annual Programme where the High Commissioner's 'three green lights' criteria are met). Similarly, staff in Sri Lanka appear not to have been consulted in the preparation of UNHCR's new operational guidelines for IDP programmes. It is therefore recommended that UNHCR as a whole should make greater effort to utilise the knowledge and experiences of its own field staff in this regard.

55. With this in mind, it is also recommended that a UNHCR staff member with extensive recent experience in Sri Lanka be given an opportunity, by means of study leave or an extended mission to UNHCR Headquarters, to prepare a 'lessons-learned' review of the IDP programme in Sri Lanka. UNHCR's Department of International Protection (DIP) and Evaluation and Policy Analysis Unit (EPAU) could also jointly convene an 'IDP good practice workshop', involving staff members who work, or have worked, in countries where UNHCR operates programmes for IDPs, such as Afghanistan, Angola, Colombia and Sri Lanka. The focus of such a workshop might be to better clarify the link for UNHCR between protection and assistance in IDP situations. UNHCR's experience in Sri Lanka suggests that the organisation's involvement in assistance activities provides it with a physical presence in the field, a monitoring capacity and a degree of leverage that it would not otherwise enjoy.



## Annex 1: Terms of reference

Joint DFID/UNHCR field review of UNHCR's programme for internally displaced persons in Sri Lanka

DFID jointly with UNHCR will review the latter's programme for Internally Displaced Persons (IDPs) in Sri Lanka. It is expected that the review will take place between 6-14 September 2001 (6-7 September in Colombo and 10-14 September in the field).

The purpose of the review is to:

- evaluate the performance of the programme, quality of service provision and protection afforded to the IDPs;
- assess progress against the project documents submitted to DFID and on the basis of which funding was granted;
- investigate the extent to which suggestions made as a result of DFID's appraisal visit of Feb-March 2000 have been implemented;
- evaluate what steps UNHCR and others could take to help the programme improve in the short to medium term;
- assess what additional assistance, if any, DFID could give to help the programme improve in the short to medium term;
- identify any institutional strengths or weaknesses in UNHCR as an organisation that are having a substantial impact on the success of the programme. These findings will be used to inform the Institutional Strategy Paper under development.

While in the field, the review team will consult with:

- UNHCR local staff in the capital Colombo and in field offices in or near the main centres for internally displaced persons;
- a selection of UNHCR's implementing partners;
- other UN agencies operational in Sri Lanka, including where possible WFP, UNDP and UNICEF;
- beneficiaries of UNHCR's programmes;
- the local population in the immediate vicinity of the main centres for internally displaced persons (including if possible any employers of IDPs such as landowners);
- local authorities in contact with internally displaced persons;

- other key stakeholders as appropriate (including NGOs working with the internally displaced persons, but not through UNHCR).

It is expected that this work will take fourteen days in total: three days preparation for the mission, seven days for the field appraisal and four days to write up the report. Once finalised, the report will be shared with UNHCR.

The appraisal team for Sri Lanka will consist of 4 members, including Nicola Jenns (Team Leader) and Rachel Lavy (Humanitarian Expert) of DFID's Conflict and Humanitarian Affairs Department, Anthea Mulakala of DFID South East Asia and Jeff Crisp of UNHCR's Evaluation and Policy Analysis Unit.