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The Politics of Post-tsunami Reconstruction in War-torn Sri Lanka

Introduction

This paper deals with the challenges of post-tsunami reconstruction in Sri Lanka. It starts with an overview of the disaster's impact and then proceeds to analyse the current condition in the Island that is characterised as a 'multiple disaster' and a 'complex political emergency'. Conflict, vulnerability, poverty, political culture and 'bad' governance compound the disastrous impact of the tsunami and complicate the reconstruction process. The frustration about the failures, negligence and incompetence shown in the relief phase is haunting the very reconstruction effort at the moment. The same applies to the lack of collaboration between the conflict parties and in politics at large in Sri Lanka with regard to the joint management of humanitarian aid by the government and the Liberation Tigers of Tamil Eelam (LTTE).

In this overall problematic context, important humanitarian aid principles and best practices are ignored by the government, donors and aid agencies alike. Simultaneously, the potential contribution to the peace process by the initial mutual solidarity among the different groups in the Island has been squandered through political intransigence and centralised patronage politics. The donor community has shown compassion with the victims and largesse in monetary terms, but has sent mixed signals to the Sri Lankan government that has reacted so far in a completely inadequate manner to the catastrophe. Donors have weakened their own possibilities to influence the conflict parties, while local criticism on donors and the 'aid industry' are growing. Whereas tensions and violence around the standoff on the joint mechanism are reaching the proportions of a crisis, most conventional actors seem unable to positively influence the events as they unfold. Can we perhaps rely on the population of Sri Lanka itself to correct its politicians, to expose failure, incompetence and abuse, and to function as a watchdog in what seems to have become a virtual humanitarian-political anarchy and 'grabbing culture'?

¹ This paper draws from Frerks, Georg and Bart Klem (2005) *Muddling the Peace Process. Post-tsunami Rehabilitation in War-torn Sri Lanka*. CRU Policy Brief #2, January 2005. The Hague: Conflict Research Unit, Netherlands Institute of International Relations 'Clingendael'; and Frerks, Georg and Bart Klem (2005) *Tsunami Response in Sri Lanka, report on a field visit from 6-20 February 2005*. Wageningen/The Hague: Disaster Studies, Wageningen University/Conflict Research Unit, Netherlands Institute of International Relations 'Clingendael'. The author thanks Bart Klem for his comments. The present draft version of this paper has not been edited on English.

An overview of the tsunami impact²

Human impact

The tsunami of 26 December 2004 hit thirteen out of a total of 25 districts in Sri Lanka and more than two-thirds of its coastline. In most affected areas only a small strip of 500 metres or less was damaged, but around Mullaitivu the waves entered 2-3 kilometres inland. The impact varied according to the physical conditions and the prevalence of natural barriers such as mangroves and sand dunes with percentages of the coastal population affected ranging from less than 20 in the southern districts up to 80 in the east. Loss of life due to the tsunami was recorded at 30,974; people still missing amount to 4,698; the number of injured was 15,196 and the number of displaced 558,287. Relatively many women and children died, as men were away from home when the tsunami struck, while a larger proportion of them could swim and ran faster when the waves came. In terms of ethnicity, all major population groups -Sinhalese, Tamils and Muslims- were affected, though the percentage of the population affected was the highest in the Amparai and Mullaitivu Districts with concentrations of especially Tamils and Muslims. Regionally, the east has been affected most: the Batticaloa and Amparai Districts together comprise 43% of the affected population island-wide.

Damage and economic impact

About 150,000 houses were destroyed or damaged, amounting to 13 percent of the housing stock in the affected areas. Most displaced live now with relatives or have been relocated from the initial 'welfare centres' to semi-permanent transit camps. Rebuilding of houses is only starting at a slow pace at the moment. About 200,000 people have lost their livelihood or employment. It is estimated that two-thirds of the island's fisheries sector has been wiped out leading to a loss of employment of about 100,000. Some 27,000 fishermen and their family members have died and 90,000 families were displaced. 65 percent of the fleet has been destroyed or damaged, including outboard motors, fishing gear and nets. The damage to the assets in the tourist sector is estimated at US\$ 250 million. Unemployment in the tourist sector and tourist-related services is estimated at 27,000 jobs with another 6,000 at risk. More than 5,000 village industries have been destroyed and many self-employed craftsmen, such as masons and carpenters, have lost their implements.

The overall damage is estimated at 4.5 percent of Gross Domestic Product (GDP). Apart from the loss of assets, the loss of output, such as in the fisheries and tourist sectors is estimated at some 1.5% of GDP. The World Bank calculates that the economy will grow one percent less as a result of the tsunami. The overall financing needs amount to about US\$ 1.5 billion, according to the World Bank.

Diverging assessments and needs

Exact data with regard to the tsunami impact remain an issue of debate. The government, international financial institutions, non-governmental organisations (NGOs), universities and so on have all made assessments and the numbers do not necessarily add up to a coherent picture. Especially when it comes to the required inputs for relief and reconstruction, the figures diverge. To safeguard a greater influx of support, actors may inflate their needs. A more fundamental issue is that the level of ambition may differ. While international donors normally gear their assessment to

² Figures and texts in this section are derived from the '*Preliminary Damage and Needs Assessment*' prepared for the Sri Lanka 2005 Post-Tsunami Recovery Program by the Asian Development, the Japan Bank for International Cooperation and the World Bank (January 1-28, 2005) and a World Bank document '*World Bank Response to the Tsunami Disaster*', dated February 2, 2005.

some form of restoration of the pre-tsunami situation, the government has formulated more ambitious plans to settle some traditional development challenges once and for all. As a result the required costs are much higher. So far there has been a conspicuous lack of co-ordination of the ongoing aid efforts frustrating reliable assessments of the amounts disbursed and spent by a large variety of aid donors and through private initiatives.

Sri Lanka: a multiple disaster and a complex political emergency

Whereas the impact of the tsunami *per se* is already huge, it is further compounded by a number of other factors. These include the conflict, the prevailing levels of vulnerability, poverty and underdevelopment in the regions affected, the political culture and the system of governance prevailing in the Island-state. Those factors are obviously intertwined and Sri Lanka's condition can be properly denoted a 'multiple disaster' or a 'complex political emergency', where various factors converge towards catastrophe. The experiences in the immediate post-tsunami period strikingly underline this analysis.

Conflict

The government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) have been in overt armed conflict since 1983, though the historical, ethnic, political and socio-economic roots of the conflict can be traced back to the colonial and post-independence era as a whole. The conflict is a complex, political emergency that typically defies a mono-causal interpretation. In fact, in Sri Lanka a variety of discourses offer partly complementary and partly contradictory conflict explanations.³

The human suffering caused by the war has been enormous, while the direct and indirect economic cost of the war has been staggering

Box 1: The Impact of the War in Sri Lanka

- 70,000 people killed
- 800,000 displaced (often repeatedly)
- Estimated 40-50% decline in GDP
- Two-thirds of cost incurred in north and east Region's share in GDP falls from 15% to 4%
- Violations of human and civic rights
- Gender-based violence and criminalisation of society
- Thousands disabled and traumatised
- Thousands of (former) soldiers
- Increase in female-headed households
- Democratic freedoms curtailed under emergency law
- Weakening of governance and service delivery
- Economic embargoes in north and east

(see box 1). In February 2002 the Sri Lankan government and the Tigers concluded a cease-fire agreement and started peace negotiations. However, after a promising first round there has been no perceptible progress in these talks facilitated by the Norwegian government. This was not only due to the intransigence of the conflict parties, but also to internal divisions within the Sinhalese polity and the instability of coalition governments with shaky majorities in Parliament. Recently there has been a split in the LTTE, resulting in internecine fighting and frequent political killings. This has affected their room for manoeuvre and

preparedness to compromise on the proposed Interim Self-governing Authority and more recently on their demand for a joint mechanism for the management of tsunami aid. In the meantime the

³ See: Georg Frerks and Bart Klem (2005) *Dealing with Diversity, Sri Lankan Discourses on Peace and Conflict*. The Hague: Netherlands Institute of International Relations 'Clingendael'.

Muslim population has become highly concerned and is now voicing its own demands. It is in this context of political impasse that the tsunami hit Sri Lanka.

Vulnerability, poverty and underdevelopment

Though Sri Lanka has been well known for its highly developed social indicators and, in fact, showed somehow the aspect of a more developed welfare state, several of those benefits have disappeared or were reduced after years of war and economic restructuring. The country's Millennium Development Goals Report issued at the Sri Lanka Development Forum held in Kandy on 16-17 May 2005, reports a significant rise in poverty levels with over five million people living below the national poverty line, i.e. one out of every four Sri Lankans.

The districts in the south and the east most affected by the tsunami are on average relatively poor, while again in those districts especially the poorest sections of the population have been hit, such as poor fishermen's families or illegal squatters living under crowded conditions on low-lying areas along the sea or the railway line. These settlements lacked the usual protection provided by spatial planning, local infrastructure and government regulations, if any. Human induced environmental degradation by demolishing coral reefs and mangrove forests arguably increased the tsunami's impact. The World Health Organisation's (WHO) Situation Report of 14 February 2005 states that 80 percent of the affected households lived on less than one dollar per day/person before the tsunami struck and that 30 percent of the affected population was living well below the official poverty line. In the north this proportion was probably higher.

According to the Millennium Report the war has further aggravated the poverty situation and employment especially in the northern and eastern provinces and the border villages to the conflict areas. As shown in box 1 the impact of the war made the population in the war zone extremely vulnerable in an economic and social sense. Many people living there have received several blows within relatively short periods, whether by man-made disaster or natural hazards. Groups that are particularly vulnerable and require special attention include orphans, widows, single-headed households and elderly and disabled persons. In some cases (for example Muslim settlements) the people most affected lived close to the coast, because they had been displaced by the war earlier and were unable to find a better plot of land. In the east the affected population also included people who still lived in camps for internally displaced along the coast as a consequence of the conflict. Many of them have faced multiple displacements or have lost their livelihood for several times. At the moment the tsunami hit, there were still 390,000 conflict-related internally displaced persons in Sri Lanka according to figures of the United Nations High Commissioner for the Refugees (UNHCR).⁴ High levels of vulnerability and impoverishment made them an easy pray for the tsunami both at the moment of the catastrophe as well as in its aftermath. The war-induced lack of resilience and erosion of local capacities affected their possibilities to overcome the impact of the tsunami.

Finally, the delivery and timeliness of rescue, relief and rehabilitation aid to mitigate and redress the consequences of the disaster are generally critically dependent on the institutional and economic characteristics of society and are usually related to overall levels of development. Though Sri Lanka is not one of the poorest countries on earth, the dramatic consequences of the tsunami completely surpassed its capacity to cope, especially in areas that were ruined economically, socially and institutionally by years of warfare. In addition, there were structural institutional weaknesses, such as a hybrid system of governance in the LTTE-controlled areas. A lack of resources, war-related

⁴ See UNHCR. *UNHCR outlines post-tsunami role in Sri Lanka*. <http://www.unhcr.ch/cgi-bin/texis/vtx/tsunami?page=news&id=42038a474>

destruction, brain drain and a lack of human capital also affected the level of service delivery negatively.

Political culture and government

A third factor worth mentioning is the political culture prevailing in Sri Lanka. The response to the tsunami can only be understood when placed in its politico-social and institutional context. The Sri Lankan government as well as many local organisations have the formal trappings of western institutions and seem to resemble 'Weberian' types of bureaucracy or participatory, democratic organisations at local or grassroots level respectively. Yet, it would be a mistake to take such organisations and institutions in Sri Lanka at face value, as this is often nothing more than an outer façade hiding a rather different underlying *modus operandi*.

In fact, the tsunami response cannot be grasped when assuming a monolithic or homogeneous, systematic, a-political and a-personal, formalised type of bureaucracy. It is true that the government avails of formal structures and a frame of operational rules and procedures, and that it represents human and material resources, networks and capacities for (inter) national resource mobilisation. However, the effective operation of those assets depends on the way political and societal actors are using those, and how this is linked to their overall political, societal and ideological perspectives and interests. Likewise, in its response to the tsunami, the government should not primarily be seen as an agent acting for the common good, but rather as a structure through which individual agents operate for their own benefit. From an entitlement perspective, access to state services, control over state machinery and proximity to central state authority are probably the most powerful entitlements in Sri Lanka.

As among others observed by Sunil Bastian, Sri Lanka's electoral and political system historically evolved into a system of patronage and operates through 'patronage politics'. "... [T]he institutionalisation of a system of patronage politics, that keeps the elected members happy, has almost become another mechanism through which the elected members are politically managed. The hallmark of this patronage politics of the political class is the use of state resources and state patronage for personal accumulation as well as distributing patronage to party members, family members, the caste network etc. etc. As a result electoral politics is dominated by a simple straightforward desire to grab power, so that there can be access to resources and influence that state power provides."⁵ In the Sri Lankan context, this patronage network also acquires ethnic characteristics, as most political parties are run and controlled on the basis of ethnicity.

Consequently, the distribution of institutionally (state) controlled benefits in Sri Lanka follows dynamic patterns of clientelism and political patrimonialism that tend to be highly opportunistic, if not simply corrupt. This implies that the distribution of resources and privilege has traditionally been a major issue of contention, with ethnic-, regional- and caste differences as the determining factors. Patterns of inequity in the past have led to grievances of the Tamil population and resulted in separatist Tamil nationalism and armed struggle. The Muslims have also voiced feelings of exclusion as of late. These conditions provided the tsunami aid with a fertile soil for social dissent. The relative impact of the tsunami and the subsequent aid response directly impinged upon the relations between the different identity groups in Sri Lanka. Initially, the tragedy seemed to transcend social boundaries and caused a wave of trans-ethnic, -regional and -caste solidarity. Very soon, however, contention featured prominently. Aid distribution with regard to caste (Goyigama

⁵ Sunil Bastian (n.d.) *Electoral systems and political outcomes*. (unpublished draft paper, p. 9)

and Vellalai versus coastal castes, mainly fishermen), region (north, east and south all feel left out in their own way) and ethnicity (local and inter-regional perceptions of Tamils, Muslims and Sinhalese) became increasingly an inflammatory issue. Most recent reports even hint at the possibility of renewed violence in the absence of progress on the aid dossier, amidst a general increase of violence in the east compounded by strikes and violent protests.

Apart from the political culture *per se* the political situation in Sri Lanka is characterised by the existence of a fragile coalition government of which the two main partners (the Sri Lanka Freedom Party (SLFP) and the Janatha Vimukhti Peramuna (JVP) – People’s Liberation Front) have quite different views on the peace process at large and on the issue of a joint tsunami aid mechanism in particular. This joint mechanism has been promoted by the President, a number of smaller political parties, the international community and was also a demand of the LTTE. This seemingly technical issue of co-ordinating aid between the government and the Tigers has recently become a salient, profoundly political issue, giving rise to principled debates about the desirability of the proposed joint mechanism for tsunami aid. The JVP and the Jathika Hela Urumaya (JHU), a political party comprising Buddhist monks, consider the LTTE as a ‘fascist’ and ‘terrorist’ movement with whom any agreement or contact should be avoided. The lack of consensus on this issue has brought the coalition on the brink of crisis over the last couple of days. Tensions have been further fuelled by protests and hunger strikes by members of the JHU and the allegedly provocative and illegal erection of a Buddha statue in Trincomalee, reportedly by JVP supporters. The LTTE in the meantime accuses the government of dragging its feet and in fact maintaining an undeclared economic embargo on LTTE-hold areas, thus endangering the ‘fragile’ ceasefire, according to LTTE’s political wing leader S.P. Tamilselvan in a recent discussion with Norway’s ambassador in Sri Lanka.

The history of mismanaged relief

In the immediate aftermath of the tsunami, rescue and life saving activities have been undertaken nearly instantaneously. Necessary medical aid was given within hours, dead bodies were buried and relief aid was mobilised within a day. Most people that needed assistance have received at least food and some form of shelter to survive. Apart from the unavoidable death toll by the tsunami impact itself, significant numbers of victims have been saved, while the number of secondary victims remained very low and no outbreak of communicable diseases has taken place. This achievement was largely due to a variety of mainly local actors. The role of the central authorities at the initial rescue and relief stage was, however, minimal. There were strong indications that the central government was completely overwhelmed by the situation and lacked the resources for a quick and effective response. Some observers mentioned that the government’s accountability structures, and rules and procedures make it ‘naturally’ slow and reactive. In several instances, however, there was a more serious pattern of inaction, delay and –according to some commentators- criminal negligence. Though the government had introduced a standard compensation scheme for all tsunami survivors in the Island, its introduction was deficient: sluggish, incomplete, inconsistent and in certain instances corrupt.

Once the immediate relief was over, according to a respondent “politics crept in and messed up the whole thing.” This was a sentiment that was broadly shared in Sri Lanka and reported in the press at length. There was, for instance, a strong perception that the President tried to assume firm control over major aid flows. With the creation of various Colombo-based co-ordinating bodies, headed by personal confidants, the President even sidelined her own ministers and their machineries. The access of the northern, eastern and southern regions with regard to central resources varied greatly, but all regions in fact had to struggle. There has been a long-standing discourse of a divide between

a Colombo and elite-based central government and the poorer provinces and districts in the periphery that are said to be ignored, deprived and exploited by those elites and the state. In this particular case the Tigers asserted that the government was obstructing aid flowing to the needy in the areas under their control. In the eastern part of the country, both Tamils and Muslims felt that priority was given to the Sinhalese, while in the south people argued that the international community favoured the Tamils and that the government had been failing to help them. As aid by the government was indeed not coming through to any of those regions quick enough, these discourses only became stronger in the weeks after the tsunami, as well as provoked persistent feelings of exclusion among especially the Tamil and Muslim minorities.

As a consequence aid became not only quickly politicised, but also a much-wanted political commodity itself. It became a useful resource for competing political parties that tried to gain political mileage and popular support on the basis of the provision of aid and support to the local population. Though this was already a general feature of the prevailing patronage politics in Sri Lanka, as elaborated earlier, the enormous amounts of aid given or pledged added to this dynamic. Not only the alleged efforts by the President to exercise control over the tsunami aid exemplified this tendency, but also the focused efforts by the Prime Minister to serve and satisfy his constituency in the Hambantota District. The JVP in turn launched a highly conspicuous campaign with thousands of volunteers to assist tsunami victims by providing relief aid, removing debris and constructing temporary housing, especially in (Sinhalese) settlements in the east.

The political motive behind it was to popularise the party further as well as to offer an alternative to the Sri Lanka Freedom Party (SLFP) and perhaps to compound the President's centralising efforts. Parties and politicians started to use public platforms, newspapers and conferences to raise suspicions about their opponents' motives and behaviour. The debate on the joint mechanism has deteriorated the situation further into what has become a highly charged atmosphere.

Principles forgotten and lessons un-learned

In the situation following the immediate relief phase, a number of important principles and lessons on humanitarian and reconstruction aid seem to have been lost along the way or became less prominent in the political struggles surrounding the aid at the moment. In the context of this paper I cannot deal with all those issues at length and therefore suffice by listing the most important ones.

First of all, the hope that the tsunami would lead to mutual solidarity and eventual peace-building among the different population groups seems to have become a total disillusion after the mismanagement of the aid in the first six months after the tsunami, the political dissent surrounding the aid at the moment, and the emotions that these have aroused. It is also highly doubtful after all the problems associated with the joint mechanism, that this device could be helpful as a first step in the direction of confidence-building between the conflict parties.

Second, at the sub-national level the influx of aid money or aid projects may lead to local and regional dissent, tension and disharmony, as equity and 're-distributive justice' are difficult to achieve in a humanitarian crisis that is increasingly being re-defined in identity terms. Both the first and second points demand that aid be given in a conflict-sensitive manner. It is however very doubtful whether the government has the capacity or willingness to do so, whereas this may be asking simply too much from the 'avalanche' of largely uncoordinated and sometimes fairly unprofessional NGOs currently active in Sri Lanka.

Third, the standard humanitarian principles as embodied in the 'Code of Conduct of the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief' are difficult to maintain under the present situation. This includes the notion of the humanitarian imperative itself.

Fourth, reconstruction aid should incorporate a structural disaster reduction component. Reconstruction efforts offer usually a perfect opportunity to include disaster prevention, preparedness and mitigation measures in the approaches adopted. In the case of Sri Lanka this would need to be a multi-hazard approach with a focus on people-centred components, including disaster awareness, training etc. There is very little evidence that steps are taken to achieve this, while apart from the controversial 'no-living zones' or 'tsunami walls', no systematic assessments have been conducted to design appropriate environmental plans.

Fifth, aid should 'Do No Harm'. More systematic attention must be paid to this aspect, as various dysfunctional effects of the aid provided so far have been recorded, but these have remained largely unattended.

Six, aid need must be provided in relation to need and be properly managed and coordinated. This is a commonplace, but yet a far cry from reality, where unwanted aid, duplication of effort, both oversupply and shortages have been reported, next to unhealthy forms of competition and other unprofessional behaviour among NGOs. A lot of criticisms have been aired against the 'aid industry' and many of them contain arguably an element of truth. Apart from the challenges posed by the task at hand itself after the tsunami, agencies have made obvious mistakes and a number of them were clearly not capable of carrying out their tasks in a responsible and professional manner. They were under a pressure to disburse and perform in a hurry and many of them also felt outsmarted by all types of private initiatives that were able to directly engage with the victims and to deliver promptly, often by using modern technologies. This included aid originating from communities in the diaspora.

Seven, there has been a nearly total lack of communication, consultation and information vis-à-vis the local population, leading to frustrations, misapprehensions and accusations. Especially, there was a lot of insecurity regarding the reconstruction plans in the future, as the government has been slow and indecisive on many important issues and decisions to be tackled in this connection. This issue also relates to the (new) donor principle of 'subsidiarity' that amounts to working at the lowest possible (administrative) level. Many Colombo-based agencies, including many donors themselves, lack the capacity to link to the lower levels down to the grassroots where the tsunami victims live.

Finally, the donors have been less than consistent in urging the government and other partners to reach a substantively better, co-ordinated and more equitable approach to both relief and reconstruction. The seemingly uncritical provision of massive tsunami aid has deprived them of the earlier possibility of influencing the conflict parties through the so-called Tokyo process, where the disbursement of conflict-related reconstruction aid was tied to progress achieved in the peace process. In the present standoff on the joint mechanism, their position is precarious. With regard to the government they have supported the position of the President, but there is increasingly criticism on 'external interference' by the international community among Sinhala-nationalist forces and sections of the public.

The JVP has branded international NGOs and their partners in Sri Lanka as profiteers and traitors. Foreign NGOs are accused of having infiltrated ministries and of undermining the government. Many of them would also try to proselytise the Sri Lankan population. These assertions were made amidst controversial attempts to pass legislation against 'unethical conversions'. Donor support for the joint mechanism becomes therefore somewhat of a dubious benefit, if not a Trojan Horse, even

for those local parties favouring it. Vis-à-vis the LTTE donors face the dilemma of supporting its claims to humanitarian aid and benefits, while simultaneously trying to be strict on issues such as political killings, human rights violations and child soldiers. Also this combination is difficult to manage effectively with the LTTE becoming increasingly adept in playing the donor game. In both cases the donors seem to have been relegated to the role of onlookers rather than active agents. A positive contribution to the tsunami victims can now perhaps only be achieved by a laborious focus on the smaller details of assessment, programme planning and implementation rather than by influencing the larger framework.

Conclusion

The overall picture of the post-tsunami situation in Sri Lanka is far from encouraging. Reconstruction is haunted by a history of mistakes and failures during the earlier relief and rescue phases. The prevailing 'politics of aid' within Sri Lanka combined with sub-optimal donor performance make the room for manoeuvre to adopt a more successful approach small, if not minimal. In this situation, important basic humanitarian principles and lessons learned for improved reconstruction aid tend to be ignored or sidelined. There are no easy remedies for this. The government is verging on a crisis, while the donors seem to be implicated or in some cases discredited to such a degree that their influence is only marginal vis-à-vis the present humanitarian-political anarchy.

Or must we in the end rely on the grassroots and hope that the Sri Lankan population will for once correct its politicians, expose bureaucratic and political failure, protest against abuse and assume a watchdog function to monitor the ongoing humanitarian efforts and political developments?