



NEWSLETTER

HUMANITARIAN NEEDS IN LONG-TERM DEVELOPMENT

IN THIS ISSUE

HUMANITARIAN CONSEQUENCES OF OVERCROWDING IN PRISONS- SAM WIJESINHA
PAGE 2

FAMILIES OF THE MISSING- EMOTIONAL DISTRESS AND ECONOMIC RECOVERY
PAGE 3

SLRCS AND ICRC REACH OUT TO COMMUNITIES ON THE WORLD RED CROSS DAY
PAGE 4-5

JJCDR 25TH ANNIVERSARY- PROMOTING INDEPENDENT LIVES WITH DIGNITY
PAGE 6

IMPORTANCE OF DEVELOPING HUMAN CAPITAL IN CONFLICT AFFECTED AREAS - DR. INDRAJIT COORMARASWAMY
PAGE 7

THE ICRC AND THE MILITARY OVERVIEW OF ACTIVITIES
PAGE 8

IHL FOR ACADEMICS
PAGE 8

Dear Reader,

Sri Lanka is benefiting, in different ways, from the regained security and macro-economic growth since the conclusion of the conflict. Alongside the steadfast development, the country has to address humanitarian needs of individuals and communities, who remain affected by events that occurred during the conflict.

Community infrastructures and many households have to be re-built, often by mothers who stand alone in life with their children, because their husbands are missing or is still detained and separated from the family. Thousands of Sri Lankans were disabled and they continue to struggle to find income-generating activities adapted to their more vulnerable situation. Inevitably, these and other humanitarian situations have an economic cost that weighs heavily on the recovering individuals and communities. This also affects, more globally, the efforts of the State to strengthen longer-term development.

The ICRC remains today in Sri Lanka to contribute to addressing the remaining humanitarian needs. Through the implementation of their specialized programmes, our teams are very much aware of the respective economic burdens, which often compound already painful situations. This is the common theme to this edition of our Newsletter, which we would like to share with our readers.

The multiple and diverse psycho-social and economic needs of families who have lost their bread winner due to the conflict or whose breadwinner is disabled pose a significant challenge to sustainable development. Finding a sustainable livelihood that is suited to their individual skills and needs and, likewise, overcoming a crucial economic threshold that allow them to achieve longer-term self-sustainability is crucial for them.

The ICRC's main ambition in Sri Lanka is to contribute in a meaningful and concrete way to alleviating the plight of Sri Lankans affected by the direct consequences of the past conflict. It is important that these remaining humanitarian needs are addressed, with a view to ensuring sustainable development for all social groups in the country. The ICRC remains committed to supporting the endeavours of the authorities.

Christoph Kleber
Deputy Head of Delegation
ICRC, Sri Lanka



ICRC



HUMANITARIAN CONSEQUENCES OF OVERCROWDING IN PRISONS



Sam Wijesinha is a lawyer by profession. During his career in public service, he served as a Secretary General of Parliament, Ombudsman and Chairman of the Human Rights Task Force. He is the Chancellor of the Open University of Sri Lanka. He is the President of the Prisoners Welfare Association (PWA) of Sri Lanka, where he has been actively involved in improving the conditions in prisons by drawing attention to the problem. In our Newsletter, he shares his views on alleviating overcrowding in prisons.

1. What is the current extent of overcrowding in Sri Lankan prisons?

Sri Lankan prisons currently operate at over 300% of their capacity. This means that there is a severe problem relating to overcrowding in all Sri Lankan prisons. Overcrowding affects the facilities available, such as water and sanitation and limits living space. This leads to prisoners having to compete for these basic facilities. These factors also give rise to various health issues, including increased spread of skin diseases. Overcrowding affects the security of prisons because the ratio of prison officers to prisoners is reduced. Prison overcrowding is common all over the world. Building more prisons is not the real remedy, but decreasing the number of people sent to prisons.

2. What do you see as a major problem arising from prison overcrowding?

When there is overcrowding, the lack of detaining facilities means that remand prisoners have to be located in all prisons; thus mixing convicts

with those who may be innocent. This can then result in creating a new breed of sophisticated criminals. Today, remand prisoners are distributed in the three main prisons: Welikada (which is intended for long-term first offenders), Bogambara (for reconvicted long-term prisoners) and Mahara (for recidivist reconvicted long-term prisoners). In addition, the rules and privileges governing remand prisoners differ from those governing convicts. Prison administration becomes difficult in this situation.

3. How can the authorities overcome overcrowding?

One can attribute the increased numbers of people arriving in prisons to the present criminal justice system. I will take an example: A large number of people are in prison for the non-payment of fines. This number can be reduced, for example, by granting the convicts time to pay the fine and by ensuring that the quantum of the fine is commensurate with their means.

In other situations, people languish in remand for many years unable to obtain bail, either because they are unable to meet the bail conditions or to pay the stipulated amount of money. The authorities should put in place an effective mechanism to deal with these situations. I would also encourage the greater use of community service and the use of suspended sentences, where possible, as alternatives to custodial sentences.

4. What are the advantages of prudent prison administration?

The State incurs a significant expenditure to keep people in prison. Currently there are around 26,000 prisoners. It costs approximately LKR 300 a day to maintain one prisoner. A significant number of these persons are in prison for minor offences or for the non-payment of fines. Lesser time spent in prison would ensure that the income earner remains with the family and is able to discharge his responsibility towards them. Reduced time spent in prison will also help him or her to reintegrate into society better. Punishing an individual results in punishing his or her whole family.

Prevention of offences, rehabilitation of the prisoners and making an example to others are some of the main functions of the prison system.

These ideas are bolstered by the experience I have gathered by being the President of the PWA for almost ten years in succession and by reading relevant reports on prisons. The Reports of Justice Garvin of the 1930's, Justice Gratian of the 1940's, Mr Delgoda who was Commissioner General of Prisons in the 1950's and Walter Laduwahetty in the 1960's have all delved deeply into the problems related to prisons and prisoner welfare.



© Sampath Samarakoon

FAMILIES OF THE MISSING EMOTIONAL DISTRESS AND ECONOMIC RECOVERY

Throughout the world, even after conflicts end, families continue to search for their missing relatives. Bereaved parents, brothers and sisters, spouses, children and friends desperately long for relatives with whom they have lost all contact.

The fate of missing persons is a natural focus of attention and often there is little understanding of the complexity of the needs of their families. Whilst the missing persons themselves are victims, the families they leave behind are also victims.

These families usually face a whole host of problems, such as psychological, legal, administrative, social and economic ones, which detract from the quality of their life. The trauma of loss often causes mental instability, difficulty to cope with life in constant ambiguity, social exclusion, economic hardship, possibly stigmatization – to name just a few.

The needs of families of the missing vary from one context to another. Features such as cultural differences or the time elapsed from disappearance could have a bearing. Usually though, most families of the missing have some specific needs such as the need to receive recognition of the suffering they have undergone, to receive information on the fate and whereabouts of the missing person and the need to receive psychological/psychosocial support.

Among the needs identified is the need to receive economic and financial support. The families of missing persons face a multitude of difficulties due to the disappearance of a breadwinner. For many months and years, from the moment of loss of contact, families do not leave a stone unturned in search of news about loved ones.

They incur non-negligible expenses when travelling, approaching various formal (i.e. detention places) and informal institutions (religious institutions, astrologers, fortune-tellers). Often, their determination to find the missing relative is abused by extortionists who extort money in exchange of “news” falsely feeding the hope of families.

The ICRC experience has shown that in most present and former conflict areas, it is mainly men who have gone missing and often remain unaccounted for as the years go by.

Women in particular are hit hard when this happens. Not only do they face the trauma of not knowing what has happened to a husband, father or son, but they also have to fill the gap left by the absence of the family’s main breadwinner. From one day to the next, many women find themselves having to provide for their families for the first time in their lives. Their emotional suffering is exacerbated by the economic distress they often face.

In many cultures, especially those that are patriarchal, there is the additional risk of social stigmatisation, which can lead to women being cut-off from the extended family, or even thrown out of the home. In traditional cultures, remarriage may be frowned upon or even legally impossible in the absence of proof of death, leaving women with small children little option but to depend on the extended family, where it exists, or find work themselves.

Such issues leave female-headed families of the missing in extreme economic circumstances. Inevitably, these and other humanitarian situations have an economic cost that weighs heavily on the recovering communities and individuals. It also affects more globally the efforts of the State to strengthen longer-term development of all communities.



© Sampath Samarakoon



SLRCS AND ICRC REACH OUT TO COMMUNITIES ON THE WORLD RED CROSS DAY

Each year, the 8th of May allows us an opportunity to celebrate our remarkable history of neutral, impartial voluntary service to humanity. But this year, World Red Cross Red Crescent Day also affords us a chance to look to the future, faced as we are by emergencies that are unquestionably increasing in their frequency, severity and complexity. From civil unrest in the Middle East, to open conflict in Afghanistan, to food insecurity in the Sahel, to severe flooding in South America, our well-established network of more than 13 million volunteers and humanitarian workers continues to play a vital role in meeting the needs of the world's most vulnerable people.

The World Red Cross Red Crescent day was celebrated through out the world on 8th May and the joint themes of 2012 "youth on the move," (see images of these celebrations on the right). This day marks the birthday of Henry Dunant, the founder of the Movement. The

partners of the Movement are the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the National Red Cross and Red Crescent Societies. At present there are 186 National Red Cross and Red Crescent Societies which are recognized by the ICRC.

Every year in Sri Lanka, the Sri Lanka Red Cross Society (SLRCS) and ICRC organise island wide events to commemorate Red Cross day. These events reflect the humanitarian work carried out by the Red Cross Movement. Based on this year's theme Youth on the Move, the SLRCS, together with youth from local communities, organised blood donation campaigns in Ampara, Anuradhapura, Kurunegela, Mannar and Vavuniya. The military and Police supported the SLRCS blood donation in Batticaloa. People from these communities participated actively in the blood donations.

The SLRCS organised shramadana campaigns in Badulla, Matara and Moneragala to clean orphanages and hospitals. In Kandy and Mullaitivu, SLRCS volunteers joined the fight against dengue by cleaning the environment.

National level program was held in Anuradhapura where the SLRCS handed over houses to 200 families who had been displaced by floods in 2012 in Rambawa Diviyaudabandawewa village. The SLRCS constructed the houses with support from IFRC.

In Kalutara, the Sri Lanka Police Department and ICRC organised a blood donation campaign at the Police Training College to mark the day. More than 700 Police personnel, ICRC employees and people from the local community participated in the blood donation. The organizers donated the blood to the National Blood Bank.





**RED CROSS
MOVEMENT IN
MANY COUNTRIES
JOINED THE WORLD
RED CROSS DAY
CELEBRATIONS**

JJCDR 25TH ANNIVERSARY PROMOTING INDEPENDENT LIVES WITH DIGNITY



For two and a half decades, the Jaffna Jaipur Centre for Disability Rehabilitation (JJCDR) has been helping people with physical disabilities to live a normal life by fitting them with artificial limbs and prosthetic devices. These people are disabled as a result of the past conflict, accidents, or due to congenital and acquired illnesses.

“The JJCDR started its services by providing aluminium limbs”, says Dr Ganeshamoorthy, the Chairman of JJCDR. “It has now progressed to producing the polypropylene limb, which closely resembles a real limb. This gives the wearer more flexibility”. The Centre also produces mobility devices such as wheel chairs and crutches and corrective and supportive walking aids.

“It costs between LKR 25,000 and 45,000 to produce an artificial limb”, elaborates Dr Ganeshamoorthy. “Other mobility aids such as a wheelchair costs around LKR 24,000 to produce while a tricycle could cost up to LKR 30,000. The costs for orthoses are between LKR 25,000 and 30,000. The production process is also an elaborate one. But it is all worth it because these mobility aids enhance a beneficiary’s capacity to earn a living and lead an independent life with dignity”.

In addition to the technological assistance, the Centre provides counselling and livelihood assistance in the form of a micro credit revolving loan to start income-generating projects to ensure their economic sustainability. The Centre hopes to provide livelihood training to beneficiaries in the future.

The Centre has produced over 5,400 artificial limbs for its beneficiaries since 1987. At present, the Centre has a regular caseload of approximately 2,500 beneficiaries. The services of the Centre are open to people from all over the country. The ICRC has been supporting the work of the Centre since 1999, with a gap from 2002-2007, through the provision of material and technical assistance to its staff. The ICRC’s assistance to the Centre will end in 2014. The JJCDR is currently seeking to diversify its donor-support to be able to continue its services.



Ganesu Sriskantharajah, 45, is a long-term beneficiary of the Centre. He used to work in a seafood factory in Mandaitivu. In 1986 he was cycling home to Kokaivil after work when he became a victim to an exploding shell, which landed near the Jaffna Fort. Ganesu was rushed to the Jaffna Teaching hospital. His left leg was badly injured from the explosion. He spent 11 months in Hospital, undergoing multiple surgeries, in the hope that his leg could be salvaged. “I was devastated”, reflects

Ganesu. “My whole world fell apart when I lost the use of my leg.” A year later, when he was still in hospital, two people from the JJCDR approached him and told him about the possibility of having an artificial limb fitted. He still remembers one of the people as Dr. Ganeshamoorthy.

“They explained to me how the artificial limb would help me to restart my life. I was convinced and asked the doctors in the Hospital to amputate my leg for me to be fitted with a prosthesis”. He remembers visiting the JJCDR after the operation to be fitted with the prosthesis. The Centre had been opened only a few days earlier. Initially, Ganesu was fitted with a prostheses made from aluminium. From 1987 to date, he has replaced his prostheses 15 times. Today, Ganesu wears a polypropylene prosthesis. “It is more comfortable than the aluminium one and I am happy with it”, he beams. On average, it is necessary to replace a good-quality polypropylene prosthesis every two years in adults and every six months for growing children. As a result, people requiring artificial limbs remain dependent throughout their lives on a constant re-supply. “I get the prostheses free of charge because of my financial status. I am grateful to the JJCDR for my new lease of life”.

Ganesu has a licence to drive a trishaw and he earns between LKR 1,500 and 3,500. “I keep one third of the money I get from the hire I give one third to the owner of the trishaw and the rest I use for fuel and maintenance of the trishaw”. Although he does not earn a lot, it is enough to look after his wife and two children and to pay for the children’s education.



IMPORTANCE OF DEVELOPING HUMAN CAPITAL IN CONFLICT AFFECTED AREAS

©ICRC

Dr. Indrajit Coomaraswamy is a former Director, Economic Affairs Division at the Commonwealth Secretariat. He was also a staff officer at the Central Bank of Sri Lanka. From 1981-1989 he was seconded to the Ministry of Finance and Planning. Thereafter he worked for the Commonwealth Secretariat from 1990-2008.

1. What are some of the economic challenges faced by a country as it progresses through the phase of rebuilding after decades of war?

When a war ends, the first challenge is usually to resettle the people in their original locations and setup support services, which can be as basic as rebuilding houses to complex as addressing their psycho-social needs. Moving to the next phase from a humanitarian operation is the more development oriented sustainability. The next phase is a shift towards establishing the civil administration.

2. How would you interpret the post war statistical evidence that shows momentum in the Northern economy?

It is clear that there have been high growth rates in Eastern and Northern Provinces because they are coming from very low bases. The only statistics we currently have are the nominal growth rates which are around 22-23 percent. There has been a spurt in the growth rates in the North and the East. But the challenge is to sustain a growth of 8-10% in these areas in the long term along with the rest of the country. In my view, we have not achieved the conditions for that. The Government is going ahead with restoring infrastructure and housing which should strengthen the growth framework; but, these areas also need private investment. The Tamil diaspora can play massive role in these efforts.

3. How important it is to utilize the 'untouched' economic geography and resources in the former conflict area to re-calibrate country's economy?

Our economic geography is our trump card in the global landscape that is emerging. We are in Asia and we are 20 miles from India. However, there is quite a lot of unutilized land in the conflict affected areas and acquiring land has been very challenging for local communities who lost most of their important documents during the conflict.

As far as agriculture is concerned, these areas can make a major contribution. There is also a possibility of developing commercial agriculture. Sri Lanka still imports lot of milk foods and sugar which have contributed to a widening deficit in the balance of payments. We can also develop milk foods as an import substitution and equally, produce fruits and vegetables for local consumption. There should be opportunities for small farmers to grow commercial crops and link up with local supply chains. We should identify what best crop patterns and product mix are best suited for these areas. Fisheries also have a potential with value addition. Plugging into supply chains in India should also be considered.

4. Do you think that the lack of capital and skills have resulted in a slow onset of livelihoods restoration in the former conflict areas?

Human capital is seriously lacking with anybody having any kind of expertise or experience either having left the country or having moved to the southern parts of the country. Although the education system stayed intact until the last stages of war, there

is a massive need for large-scale training and skills development programs. There seems to be a serious lack of skills among the youth who have left school during the post-war period. We have to develop the human capital in order for them to be better able to contribute to the economy. People need to be given training and an adequate work ethic has to be re-established.

5. Describe the nature of the initiative that is needed to make the community a part of development.

Lack of seed money has prevented many communities from starting up their own business. If you are just starting it is difficult to get money from a bank and seed money to start up is crucial. Micro loans serve as seed money for these communities. With the normalization of livelihoods, the communities will also be able to save. If one can generate economic activity, these communities can save and contribute to investments.

6. What is the role of the Government and humanitarian organizations in the revival of post war economy of Sri Lanka?

Clearly the humanitarian agencies have already played a significant role in the immediate post war economic stabilization. The Government too has provided the space for them to operate. Government then shifted its focus to infrastructure restoration and framework for sustained growth effort. Although Governments tend to be strong in the hard sectors, it seems to be weaker in addressing soft issues. That is where the humanitarian agencies can play a role since it is their specialty.



THE ICRC AND THE MILITARY

OVERVIEW OF ACTIVITIES

Since January 2012, the ICRC, in collaboration with the Directorate of Human Rights and International Humanitarian Law conducted three basic Training-of-Trainers courses for 64 instructors of International Humanitarian Law and one advanced refresher course for 14 Army and three Navy officers at the Institute of Peace Support Operations.

The ICRC conducted one session on Civil and Military Cooperation (CIMIC) session for 24 Civil Affairs Officers of the Sri Lanka Army at Rock House Camp at Modara.

In April, the ICRC held one United Nations Peace Support Operations briefing for the Haiti and Lebanon contingents comprising of 248 Armed Forces personnel for Haiti and 188 Army personnel for Lebanon. In May, a second session trained 276 Army personnel departing to Haiti.

Members of the Armed Forces also participated in various academic events organized by the ICRC. In May, two Senior Army Officers attended the 20th South

Asian Training Session (SATS) in Iran. This bi-annual Session aims to train middle – high ranking officers of the Armed Forces and Governments of the South Asia region, including Iran, on matters relating to International Humanitarian Law

In May, six officers from Army, Navy and Air Force attended the two-day Teacher Training Workshop on International Humanitarian Law for academics and government officials conducted by Regional Legal Adviser of the ICRC, Christopher Harland, at the APIIT Law School.

The ICRC Delegation in Sri Lanka sponsors high-ranking officers of the Armed Forces to attend international conferences where they can share their comparative experience and gain insight into the latest developments of International Humanitarian Law. In June, the ICRC sponsored a Senior Officer of the Army to attend the HR & IHL in UN Peace Operations course in San Remo, Italy.

IHL FOR ACADEMICS

The ICRC and APIIT Law School organized a two-day Teacher Training workshop on International Humanitarian Law (IHL) on 17th and 18th of May- 26 academics and lecturers attached to Universities, the three Armed forces and the Attorney General Department participated in the event.

The purpose of the program was to update participants on recent developments on IHL. Justice C.G. Weeramantry, Former Vice-President of the International Court of Justice, was the key note speaker at the opening session. The final session was a panel discussion where the panelists and participants discussed matters relating to rules of engagement, direct participation of civilians in hostilities and the international dimensions relating to the application and interpretation of IHL.

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization, which works in over 80 countries worldwide. Its humanitarian mandate has been bestowed upon it by States which are parties to the Geneva Conventions. Today, all countries of the world are part of the Geneva Conventions. The ICRC belongs to the International Red Cross and Red Crescent Movement, within which it has the specific humanitarian assignment to contribute, as a neutral intermediary, to the protection of lives and dignity of victims of the armed conflict and other situations of violence and provide them with assistance whenever required. In all countries where it is present, the ICRC cooperates with the National Societies of the Red Cross or red Crescent and supports the undertakings of the authorities and national institutions in addressing humanitarian issues, in particular as concerns the consequences of an armed conflict. The ICRC also endeavours to prevent suffering by promoting and strengthening international humanitarian norms and universal humanitarian principles along with the national institutions and organizations concerned.



ICRC