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NEWSLETTER

APRIL-JUNE 2015

OUR PRINCIPLES IN ACTION

HUMANITY IN MIGRATION

Dear Reader

At the 31st International Conference of the Red Cross and Red Crescent held in Geneva in 2011, a resolution was passed to ensure access, dignity, and respect for diversity and social inclusion for migrants.

As part of its activities in armed conflicts and other situations of violence, the ICRC has always included in its action displaced people, foreigners in detention or caught in crisis, including refugees or asylum seekers who constitute a special category under international law, with their own protection needs. By doing so, the ICRC often, with the support of Red Cross and Red Crescent societies, has ensured that vulnerable migrants have access to humanitarian assistance.

Whether voluntarily or involuntarily, people leave their families, friends, and homes to seek a better life for themselves and the families they leave behind. In the Asia-Pacific region, an estimated 50 million migrants face various situations as migrant workers, refugees or asylum seekers, be they regular or deemed irregular by public authorities, be they adults or minors.

While some migrate through regular channels, others use irregular channels, which increases their vulnerabilities along the migratory routes operated by smugglers and traffickers whose financial, psychological and physical abuse have been reported along with the harsh conditions of journeys with limited food and water. Throughout their experience, all migrants face risks of being separated, exploited, trafficked, detained and prevented from access to health services or education.

Given the extent of the migration phenomenon and its mixed flow, the response to the humanitarian consequences of migration requires collaborative efforts from authorities, humanitarian organizations and social services along the migratory route in the country of origin, transit and destination, as well as national legislation and international standards ensuring migrants basic rights.

Together with its partners in the Red Cross and Red Crescent Movement and its global presence in over 80 countries, the ICRC, as a neutral and independent organization,

neither prevents nor encourages migration. It conducts activities in favor of migrants purely on humanitarian grounds.

Within the framework of its traditional operational activities, the ICRC, along with the Sri Lanka Red Cross Society, aims at assisting all vulnerable migrants and their families.

In detention, the ICRC assists detaining authorities to ensure adequate services for and treatment of migrants. Its Restoring Family Links (RFL) services make it possible for migrants and their families in the community to learn of the whereabouts of their loved ones, sometimes months or years after they have left their country of origin. Families of migrants can also refer to the ICRC's RFL website (www.familylinks.icrc.org), an online service that helps families establish contact with each other.

The ICRC Delegation in Sri Lanka



ICRC

SRI LANKA HOSTS ANNUAL FORUM ON INTERNATIONAL HUMANITARIAN LAW FOR THE FIRST TIME

The 6th South Asian Conference on International Humanitarian Law (IHL), on the theme of *IHL: Yesterday, Today and Tomorrow*, was held in Colombo on 19-21 May. It was jointly organized by the ICRC and Sri Lanka's Ministry of Foreign Affairs.

This conference, which is hosted by a country in the region every year, is an opportunity for delegates who participate to look at contemporary issues in relation to IHL. At last year's conference in Nepal,

the theme was Sexual Violence in Armed Conflict.

The theme of this year's conference set the stage for an analytical dialogue on IHL in light of the evolving nature of conflict and the challenges this poses to applying and complying with this body of law. Over 60 participants from key ministries, parliaments, the judiciary and the armed forces, as well as experts in IHL from the region and the ICRC, discussed a variety of current topics

such as Armed Conflict and Terrorism, Cyber Operations in Armed Conflict, Addressing the issue of Missing Persons, Sexual Violence in Armed Conflict, and Migration.

Participating countries included Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan, and Sri Lanka. Sri Lanka was represented by officials from the Ministry of Foreign Affairs, the Attorney General's department, the Legal Draftsman's department and the Sri Lanka Army.

Visit our country page on www.icrc.org or our New Delhi blog on <http://blogs.icrc.org> to see participants and panellists sharing their views on the sessions they found most relevant to their countries.

Day 01



A traditional Sri Lankan welcome with Kandyan dancers and the lighting of the oil lamp to open the conference.



The inaugural session: opening statements from the head table; (L to R) Deputy Director General, Sri Lanka Red Cross Society, Mr Sudath Madugalle; Head of Delegation of the ICRC in Colombo, Ms Cherine Pollini; Deputy Minister of Foreign Affairs, Sri Lanka, and chief guest, Mr Ajith Perera; ICRC Regional Legal Advisor for South Asia and Iran, Ms Kirsty Welch; Permanent Representative of Sri Lanka to the UN in New York, Dr Rohan Perera; and Member of the ICRC Assembly, Dr Francois Bugnion.



Sessions in progress.

Day 02



Panelists at the session on Cyber Operations in Armed Conflict. Participants got to know and were able to discuss the diverse means and methods of cyber warfare, and the challenges it poses to the application of IHL.



During a conflict, people go missing and their families need to know their fate and whereabouts. The session on Addressing the issue of Missing Persons dealt with the issue from the ICRC's IHL perspective, while the former Deputy Chairperson of the Implementing Task Force of the Lessons Learnt and Reconciliation Commission in Sri Lanka, Mrs Dhara Wijayatilake, presented the steps the country is taking to resolve it, post conflict.



Sessions for the day concluded with another long-lasting consequence of conflict – Explosive Remnants of War, Anti-Personnel Mines, and the Use of Explosive Weapons in Populated Areas.

Day 03



Paving the way for the 32nd International Conference of the Red Cross and Red Crescent, with discussions on Strengthening Legal Protection in Armed Conflict, Sexual Violence in Armed Conflict, Health Care in Danger, and Migration.



The Head of Delegation of the ICRC in Colombo, Ms Cherine Pollini (L), delivers the vote of thanks. Closing remarks were also made by (second L to R) Secretary to the Ministry of Foreign Affairs, Sri Lanka, Mrs Wagiswara; ICRC Regional Legal Advisor for South Asia and Iran, Ms Kirsty Welch; Secretary-General, Asian-African Legal Consultative Organization, Dr Rahmat Mohamad; Member of the ICRC Assembly, Dr Francois Bugnion; and Legal Advisor, ICRC Geneva, Mr Charles Sabga.

ENGAGING THE SRI LANKA POLICE IN A DIALOGUE ON INTERNATIONAL HUMAN RIGHTS LAW

The ICRC engages in dialogue with police and security forces in numerous countries around the world to limit and prevent suffering among people affected by armed conflict and other situations of violence. It is the responsibility of police and security forces, authorized to enforce the law in their countries, to serve and protect people and communities and, in particular, to prevent and detect crime, to maintain public order and to protect and assist people in need. In fulfilling these obligations, they are duty bound to respect international human rights law (IHRL) – the international legal framework applicable to law enforcement tasks. Although the ICRC operates on the basis of international humanitarian law (IHL), it also promotes respect for IHRL as the two bodies of law, though distinct, are complementary. Both are concerned with the protection of the life, health and dignity of individuals.

Pietro Tilli, a Detention and Police Delegate in the ICRC's Colombo delegation, was a police officer in the Italian Gendarmerie for 20 years. He tells us about the ICRC's recent training for the Sri Lanka Police, and why it is important for police officers to know IHRL.

The ICRC recently conducted a training in Colombo on “Search, Arrest and Police Custody” for the Terrorist Investigation Division, the Criminal Investigation Division, and the Narcotics Bureau of the Sri Lanka Police. What was the aim of this training?

We organised this training in agreement with the Deputy Inspector General of Police (Training), Mr M R Latiff, and the aim of it was to give inspectors and officers a clear understanding of the internationally accepted way of arresting, searching, and detaining suspects. A course like this gives the police the didactic tools to which they can refer when carrying out a police operation in accordance with international standards.

The ICRC has been supporting the Sri Lanka Police with training in IHRL since 2012, and has maintained an open dialogue with

them. I believe the recent training further strengthened our collaboration with the Sri Lanka Police in the pursuit of upholding international standards of policing and in sharing knowledge of IHRL.



Key topics covered during the two-day programme were Policing Ethics; IHRL and National Law vs IHL; Search & Seizure; Judicial Guarantees; and Arrest and the Use of Force.

As a former police officer, how important do you think it is for police officers to know or have an understanding of IHRL?

I think it's essential. Every human being is inherently entitled to human rights, and the fundamental principles of IHRL, such as the right to life, the prohibition of torture and inhuman punishment or treatment, and the right to freedom of thought, conscience and religion, apply at all times – in peace and in war.

A police officer operates according to the national law of his country, but must also operate according to international standards, i.e. IHRL. Understanding the international legal framework applicable to law enforcement tasks, allows the officer,



Deputy Inspector General of Police (Training), Mr M R Latiff (top), delivers the welcome address, while the Deputy Director Community Policing Training and New Projects, ASP, Mr Ranasinghe (bottom), closes the training, expressing the desire of the Sri Lanka Police to continue its collaboration with the ICRC.

even the commander, to improve his/her way of policing. Making IHRL a part of the police curriculum thus facilitates the work of the police and leads to protection of the fundamental rights of citizens.

What brought you to the ICRC?

During my career with the Italian Gendarmerie, I was an investigator and I worked in the Narcotics Bureau. Thereafter, for four years, I worked as a liaison officer for the Italian Foreign Affairs with the Pakistani Capital Police, based in the Embassy of Italy in Islamabad, Pakistan.

When I was working in Pakistan – it was my first work experience abroad – I had the opportunity to witness the ICRC's pragmatic approach in dealing with humanitarian issues. I was attracted by the possibility of really making a change and impacting someone else's life through my work. I found out about the ICRC's police programme, and the prospect of using my experience with the police in an organisation with a clear and honourable mandate and a constructive approach to support police forces around the world, really appealed to me.

AN ASSESSMENT ON PRISON HEALTH SERVICES IN SRI LANKA

In 2014, the ICRC visited 800,891 detainees in 1,614 places of detention worldwide. These visits are made to support detaining authorities in their endeavours to ensure adequate conditions of detention and treatment of detainees, and to enable detainees to maintain family links. Following its visits, the ICRC shares any findings and recommendations with these authorities on a bilateral and confidential basis.

The ICRC has been visiting persons in places of detention in Sri Lanka since 1989. Initially, it visited those detained in connection with the uprising of the Janatha Vimukthi Peramuna. As the conflict between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam evolved, the ICRC started visiting persons held by the parties to the conflict. Since 2011, the ICRC in Sri Lanka has widened the scope of its activities in places of detention, to address the humanitarian needs of all detainees.

Availability and accessibility of adequate health care services is an essential component of dignified conditions in detention. As such, worldwide and in Sri Lanka, the ICRC's team visiting places of detention includes a doctor, whose main role is to support detaining authorities in ensuring that detainees have uninterrupted access to health care services that are equivalent in standards to those of the community's health care services.

The ICRC recently carried out an assessment of prison health services in Sri Lanka, with the support of the Department of Prisons, the Ministry of Rehabilitation and Prison Reforms, and the Ministry of Health. The aim of the assessment was to deepen the ICRC's understanding of the different aspects of prison health services in the country, taking into account the authorities' as well as detainees' perspectives.

The assessment was carried out by the Detention Doctor from ICRC, Geneva, Dr Fredrick Stauffer, together with the Colombo delegation's Detention Doctor, Dr Faraz Jamil Kakar, and the Detention team. It was conducted in five prisons, the Welikada Prison Hospital, and the Kandakadu Treatment and Rehabilitation Centre. The ICRC engaged key stakeholders, including the Ministry of Health, the Ministry of Justice and Labour Relations, the Department of Prisons, the Institute of Forensic

Medicine and Toxicology, and the Sri Lanka Medical Council, in discussions, as part of the assessment.

Data was collected through confidential interviews, and questionnaires, with over 100 detainees. During these interviews, detainees were given the opportunity to share their views on their prison's health services.

Commenting on the next stage in the assessment process, Dr Kakar said, "Currently, the data and findings are being analysed and will be collated in a confidential report to be shared with the relevant authorities. This health assessment will serve as a basis for the ICRC to develop its humanitarian activities in detention, and to provide further support to the prison health authorities."



Dr Fredrick Stauffer in a discussion with a prison official, as part of the prison health services assessment.



Ensuring adequate health care services in prison: Dr Faraz Kakar talks to the doctor in the Negombo prison during a visit earlier this year.



Detainees in the Negombo prison speak confidentially with members of the ICRC's Detention team. The ICRC takes into consideration both detainees' and prison authorities' views in its pursuit to ensure adequate conditions of detention.

CELEBRATING 50 YEARS OF THE RED CROSS AND RED CRESCENT MOVEMENT'S FUNDAMENTAL PRINCIPLES

Every year, on the 8th of May, the Red Cross and Red Crescent Movement celebrates World Red Cross and Red Crescent Day to mark the birthday of Henry Dunant, who founded the ICRC in 1863. The Movement is made up of the International Federation of Red Cross and Red Crescent Societies (IFRC), the ICRC, and national Red Cross/Red Crescent societies.

The Movement was founded on, and is guided by seven fundamental principles in its humanitarian action – humanity, impartiality, neutrality, independence, voluntary service, unity and universality. This year, the Movement celebrates 50 years of the fundamental principles.

In Sri Lanka, the Sri Lanka Red Cross Society (SLRCS), the IFRC, and the ICRC came together in Colombo to celebrate the spirit of the Movement on 8 May.

Considering different ideologies drive different people for different reasons, we asked some of our Movement colleagues which of the seven fundamental principles inspire them the most.



Sunil Jayasiri counts 15 years as a driver in the SLRCS. Motivated by the principle of humanity, it is his way of reaching out to people in need.



Zafran Packeerally (left), an IFRC Communication Officer, and Amanda Tanghe (right), an ICRC Cooperation Assistant, share their belief in impartiality. "Impartiality in humanitarian action knows no boundaries – political, religious, racial, gender or otherwise," reflects Amanda.



"This work allows me to do what I love doing, outside of my country – that's why I picked universality. The pain and suffering of people is universal, and to be able to go in all sorts of directions and help them in whatever small way I can, drives me every day." – Trishna Lama, an ICRC Protection Delegate based in Colombo.



Like most colleagues, John Ravi (left), struggled to pick just one principle. But as a Logistics Officer for IFRC, he felt the idea of support and voluntary service was the closest to his heart. For Sujatha Damayanthi (right), a Procurement Officer in the SLRCS, who joined the organization as a volunteer in 1992, the choice was obvious.





Reinforcing knowledge of the principles, the fun way: (left) 'Pinning the principles' on Henry Dunant, and (right) a tug-of-war highlighting the value of unity.

SLRCS branches outside of Colombo also commemorated the day with various events that spread knowledge of and expressed our fundamental principles.



The Nuwara Eliya branch (left) conducted a leadership training, incorporating the fundamental principles, for students of the Gamini Dissanayake National School, Kotmale. The Monaragala branch (right) handed over a newly built house to an economically disadvantaged family.



The Puttalam branch distributed spectacles to those in need, and held an awareness programme on the "Prevention of Domestic Accidents and Appropriate First Aid" for housewives.

FACTOID

ICRC ACTIVITIES: APRIL-JUNE 2015

SUPPORT TO THE SRI LANKA RED CROSS SOCIETY (SLRCS)



Celebrated World Red Cross and Red Crescent Day at national and branch level.

Nine SLRCS branches provided first aid services at district-level events (including for pilgrims visiting places of worship).

Continued to provide the National Society financial, technical and material support for its Restoring Family Links services and the re-establishment of the Society's branches in Kilinochchi and Mullaitivu.

SUSTAINING LIVELIHOODS AND PROVIDING ACCESS TO SANITATION AND SAFE DRINKING WATER



335 households (women-headed, people with disabilities, released rehabilitees, and families of the missing) in the Northern and Eastern provinces received cash grants to establish or regenerate their livelihood activities.

Began the construction of 10 overhead water tanks, 40 toilets, and two buildings with three classrooms in schools in the districts of Mannar, Vavuniya, Kilinochchi and Mullaitivu, to provide 2,400 school children access to classrooms, safe drinking water, and sanitation.

2,994 detainees' living conditions improved as a result of the renewing of roofing in the Batticaloa prison, the renovation of three wards in the Anuradhapura prison, and the donation of two water pumps to the Kandakadu Treatment and Rehabilitation Centre.



MIGRATION

Supported the SLRCS with maintaining family links for migrants (both Sri Lankans living abroad and foreigners in Sri Lanka).

ADDRESSING THE NEEDS OF FAMILIES OF MISSING PERSONS



176 families of the missing from 12 districts (Ampara, Anuradhapura, Hambantota, Jaffna, Kegalle, Kilinochchi, Kurunegala, Mannar, Polonnaruwa, Ratnapura, Trincomalee, and Vavuniya) were individually met with, to understand their administrative, economic, legal, and psychosocial needs.

11 focus group discussions, each comprising 6-8 members of families of the missing, were held in the five districts of Jaffna, Vavuniya, Kilinochchi, Mullaitivu, and Trincomalee.



DETAINEE WELFARE

18 detention visits were carried out in 15 places of detention.

Covering 4,713 detainees, visited five prisons, the Welikada Prison Hospital, the Kandakadu Treatment and Rehabilitation Centre, and three hospitals (in Polonnaruwa, Batticaloa and Kandy) under the Ministry of Health, as part of a prison health services assessment.

225 families received allowances to visit their relatives in detention.

588 families of detainees exchanged news via Red Cross Messages and oral messages over the phone.

7,200 detainees in seven places of detention received ad hoc assistance in the form of cleaning materials, hygiene and recreational items.

Supported three prison officials to attend the 2nd Asia Pacific Seminar on Correctional Management held in Kuala Lumpur, Malaysia.



PROMOTION OF INTERNATIONAL HUMANITARIAN LAW (IHL)

180 Army personnel following the refresher courses at the Combat Training School, Ampara, participated in an IHL programme.

43 cadets participated in a three-day IHL programme at the Sri Lanka Military Academy, Diyatalawa.

21 Army, five Navy, and five Air Force IHL Instructors participated in a three-day Advanced Seminar on IHL at the General Sir John Kotelawala Defence University, Colombo.

54 commanding officers and second-in-commands and 21 senior officers participated in programmes on Military in Law Enforcement at the Security Forces Headquarters, Kilinochchi.

Over 60 participants and experts in IHL from the region and the ICRC, participated in the 6th South Asian Conference on IHL in Colombo.

Three lecturers from the University of Peradeniya, the University of Jaffna, and the Open University of Sri Lanka, as well as a Sri Lanka Army Officer, participated in the South Asian Teaching Session on IHL held in Islamabad, Pakistan.



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