

WAITING TO RETURN HOME

CONTINUED PLIGHT OF THE IDPs IN POST-WAR SRI LANKA



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The Oakland Institute

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Introduction

Sri Lanka's 26-year-long civil war officially ended in 2009 with the defeat of Tamil separatists, led by the Liberation Tigers of Tamil Eelam (LTTE), through a bloody military offensive that led to widespread destruction, the killing of tens of thousands of civilians by government shelling and aerial bombing, and the displacement of the entire population living in rebel-controlled territories.¹ The Northern and Eastern Provinces of Sri Lanka – Tamil strongholds, where the final offensives played out – were especially devastated with significant losses of life, land, infrastructure, and livelihoods.²

In May 2015, the Oakland Institute released *The Long Shadow of War: The Struggle for Justice in Postwar Sri Lanka and I Speak without Fear: Where Are Our Loved Ones Who Have Been Abducted, Arrested, and Disappeared?*³ The reports exposed how a silent war continues in the country under a different guise. One major issue is the continued displacement of people from their lands and homes, a result of the persistent military occupation of the Northern and Eastern Provinces.⁴

The Oakland Institute's reports were released amidst growing international belief that change was afoot in Sri Lanka. In January 2015, Maithripala Sirisena won the country's presidential election on a platform that promised, amongst other things, to address corruption, restore an independent and impartial judiciary, and launch an inquiry into war crimes.⁵ One month after the elections, President Sirisena made his first pledge to return lands to the displaced.⁶

Well over one year into President Sirisena's term, Sri Lanka's Northern and Eastern Provinces remain heavily militarized. Tens of thousands of Tamils – if not more – remain displaced from their homes, living in Internally Displaced Persons (IDP) camps, with relatives, or as refugees abroad. According to the Internal Displacement Monitoring Centre (IDMC), an estimated 73,700 people were internally displaced in the Northern and Eastern Provinces in July 2015, with the majority belonging to Tamil and Muslim minorities.⁷ The IDMC also estimated that several tens of thousands among the 794,000 who are registered as having returned to their homes, have still not achieved a durable solution to their displacement.⁸

This brief shares the voices and the ongoing struggles of the displaced in post-war Sri Lanka, despite promises made by the new administration in 2015. Names and details that could reveal the identity of those interviewed and the IDPs have been withheld because of the fear of retaliation and to ensure their safety. The brief highlights a harsh reality – amid United Nations resolutions, various task forces, and numerous government promises, tens of thousands continue to live in despair. Nearly thirty years on, the IDPs of Sri Lanka's civil war are still waiting to return home.

False Promises: Continued Displacement

In 2016, seven years after the official end of the war, the Sri Lankan army continues to occupy “High Security Zones” (HSZs) in the Northern and Eastern Provinces.⁹ In 2014, at least 160,000 soldiers, almost entirely Sinhalese, were estimated to be stationed in the North, yielding a ratio of one army member for every six civilians, despite the official end of hostilities in 2009.¹⁰ This military occupation is not about ensuring security. Instead, the lands of the displaced are being used for army and naval camps, as well as for large-scale property development, construction projects, and business ventures such as travel agencies, holiday resorts, restaurants, and cafes, often run by the Ministry of Defence.¹¹ International experts and organizations have called for the demilitarization of these regions and the swift return of land to its rightful owners to ensure peace and stability.¹² Despite the rhetoric of truth, justice, and reconciliation, the government does not plan to scale down security arrangements.¹³

“National Security will remain the priority of our government and there is no change in that policy under any circumstances. Members of the Armed Forces should not believe in unfounded rumors and various fabricated stories in relation to security concerns. I assure you that the government would not remove any Army formations in the peninsula, nor does the government plan to scale down security arrangements.”

—State Minister of Defence, Ruwan Wijewardene, February 2015¹⁴

Since coming into power, President Sirisena has made several pledges to return land to the displaced, including between January 8, 2015 and March 1, 2016, promises to

release the following: approximately 1,000 acres from the Palaly HSZ in Jaffna District;¹⁵ 818 acres in Sampur;¹⁶ 613 acres in Kilinochchi and Mullaitivu;¹⁷ and 701.5 acres in Thellippalai and Kopay.¹⁸ In January 2016, President Sirisena also gave a six-month deadline for lands to be identified to resettle 44,000 IDPs in the Northern Province.¹⁹

These promises total 3,132.5 acres. For comparison, the Palaly HSZ alone was, until recently, over 6,152 acres in size,²⁰ demonstrating just how much land is under occupation. According to Colombo-based Centre for Policy Alternatives (CPA), a total of 12,751.24 acres of land, including both state and private lands, continues to be occupied in the Northern Province alone.

The existing Presidential pledges are marred by other issues as well.

First, the quality of the lands offered for resettlement, as in the case of Palaly, is questionable. A portion of the first land made available for resettlement in February 2015 in Palaly had previously been offered to the IDPs by former President Rajapaksa, and was deemed unacceptable.²¹ “People want to return to their original lands. But instead, some of the lands offered are former stone quarries, while other lands are not fertile or are covered with decades of brush growth. The resettlement of traditional farming families to such areas – when traditional, fertile lands exist and are occupied by the military – is unacceptable.”²²

Second, the military continues to operate luxury resorts, golf courses, and other non-military enterprises on land taken from IDPs.²³ President Sirisena in 2015 revoked an agreement that was to give some of the 818 acres of land in Sampur to the Board of Investment in order to resettle over 1,250 Tamil families after nine long years of displacement. However, people are being resettled near the proposed Indian-funded Sampur Coal Power Plant, which is not affected by the release of the lands.²⁴ Around 500 acres have been earmarked for the plant, of which 25 percent are paddy-land owned by the residents of Sampur.²⁵ Living next door to a coal plant is not anyone’s dream, but even that was initially prevented by a Supreme Court order, which was overturned on May 20, 2015 since the government decided to shift a new naval base to Sampur.²⁶ Today while the Government of Sri Lanka has released land in Sampur, this is not the land that the people were using before the war, which includes deed land and permit land.²⁷



Other issues remain as well. After Sampur was taken over by the security forces in 2006, the navy established a camp, named SLNS Vudura in 2013, taking over 237 acres that formally belonged to the residents. While 60 acres of land were released in 2015, people could not resettle due to the continued encroachment of their land by the naval camp. Due to continuous protests and demonstrations and political pressure of Tamil MPs and Eastern Provincial Members, the remaining 177 acres were released in March 2016.²⁸ However, the IDPs are being sent back to live in the shadow of the new navy camp, which has been built close to the old camp, on 270 acres of which 42 acres are paddy-land owned by people.²⁹ Having a navy camp so close to the village is a major security concern for the locals who have faced harassment and abuse at the hands of the Sri Lankan Army over the years.



Hut of an IDP in recently released land, Sampur © The Oakland Institute



Toilet facilities for the resettled IDPs at Sampur



Resettled Sampur IDPs clearing the area to put up temporary huts



Hut of an IDP in recently released land in Sampur



A bundle of wood placed across an old destructed well to prevent people from falling

The new naval camp has restricted villagers' access to the sea as well as to three ponds, thus impacting their ability to continue fishing, their traditional livelihood. The Navy has also converted a Hindu Temple into a Buddhist one in the same area. The presence of the new camp has been justified by some for being located on state land. "They, however,

ignore the continued militarization. Why can't the military occupy state land in the South instead of North and East. The Navy can shift their camp to Trinco harbor instead of having a new one in Sampur. The Government of Sri Lanka cannot justify occupying the lands and they need to be released if they belong to people."³⁰

All photos © The Oakland Institute

Also, while 818 acres were released, the Sampur case involves more land than that.³¹ People are being asked to resettle when there is no infrastructure available, including toilet facilities.³² “It is urgent that at least 20 public toilets are built immediately to prevent sanitation and health crises and spread of diseases.”³³ Protests continue in Sampur to demand the return of these lands. On April 1, 2016, Sampur residents staged a demonstration against the proposed Coal Power Plant,³⁴ following a hunger strike on March 2, 2016.³⁵ On April 10, 2016, villagers from Kadatkarasenai staged another protest, and similar protests are planned every consecutive Sunday against the coal plant.



Hundreds of Tamil and Muslim IDPs demonstrating against the Sampur coal power project in Muttur, April 1, 2016. © www.tamilcnnlk.com

Sampur is not alone. Military camps all over the North and East are not being removed but are being merely relocated. In Mannar district, the village of Mullikulam in Musali DS division remains occupied by the Sri Lanka Navy and 177

families (620 individuals) remain displaced in temporary shelters in the area.³⁶

In Jaffna, the government released 1,000 acres of previously military-occupied land in February-April 2015. However, adjacent areas remain within the High Security Zone, leaving returning IDPs to be surrounded by or in close proximity to military bases. On December 29, 2015, the Army handed over 728 acres of land in the former High Security Zone in Valikamam North to the Government Agent, in order to release the land to the IDPs. According to media reports, when the IDPs visited their original homes, most found no traces of their houses and other immovable assets. There were also no signs of land boundaries, making it necessary to carry out land surveys to determine the area of their land according to their land deeds.³⁷

According to media reports and to the IDPs themselves, 32 IDP camps remain in Jaffna, located across seven Divisional Secretariat (DS) Divisions. According to these DS offices, as of November 2015, “approximately 11,500 families (38,500 individuals) were identified as IDPs. The total number of families remaining in these 32 camps is approximately 1,158 (4,238 individuals).”³⁸

Amidst conflicting numbers, it is difficult to ascertain how many of the promised lands have actually been released for full resettlement, and how many households have successfully been resettled. What is clear is that the promises made by the government to date are far below the total necessary lands required to adequately resettle all the current IDPs. The challenges of resettlement when little to no infrastructure remains, lands are not ready for cultivation, and land titles are not clear given communities fled under heavy shelling without papers, represents a huge problem.



Kitchen of an IDP hut, Camp Neethavan



Tin shacks at Camp Neethavan



An IDP hut at Camp Sabhapathy

All photos © The Oakland Institute



Desperate Measures

In early 2016, the Oakland Institute was petitioned by a group of IDPs, requesting assistance in their struggle to return home.

02.02.2016

Ms. Anuradha Mittal
Executive Director
Oakland Institute

Re: Acquisition of civilian land by the Armed Forces of Sri Lanka against the will of the people in northern Sri Lanka

Having exhausted all the domestic political and legal avenues available to us to regain our lands and houses acquired by force by the Sri Lankan armed forces during the war, we the people of Valikamam North in the Jaffna District of Sri Lanka living in the Grama Niladari divisions of K.K.S West, K.K.S Centre, K.K.S South, Thenmylai, Thaiyiddy East, Thaiyiddy North, Thaiyiddy South, Myliddy North, Myliddithurai North, Myliddithurai South, Palaly North, Palaly west, Palaly northwest, Palaly East and Palaly South, have decided to seek your help to find redress to our problem. . . .

We, the people of Valikamam North strongly believe that the Armed Forces of Sri Lanka, and therefore the government of Sri Lanka, are in violation of International Law in acquiring our lands and houses by force.

During the war, wanting to establish a High Security Zone around its main airbase, in 1990 the Sri Lankan Security Force forcefully evicted us from our lands and houses. From then, to date even 6 years after the end of the war, we are living in 32 welfare centers in Valikamam North or staying with our relatives elsewhere.

Contrary to what the Sri Lankan President Mahinda Rajapaksa promised in his post-war speeches that the lands and houses of civilians would be given back to them sans the lost lives of their kith and kin, to what the powerful Minister for Economic Development and President's own brother Basil Rajapaksa noted in May 2011 that "We do not want HSZ in the country any further as we have no enemies among ourselves. The entire country is now under a single peace zone," and to what the Jaffna Security Force's Commander Mahintha Hathurusinga told the technical mission of Office of High Commissioner for Human Rights (OHCHR) which visited Sri Lanka in September 2012 that "we (the Army) have no plan of acquiring civilians' lands to establish military camps in Jaffna. Army has already earmarked government lands for that purpose," two notices dated 18th and 27th of April 2013 were issued to acquire 6381 acres 38.91 perches of land in Valikamam North. The notice also stated that the purpose for this acquisition was to formally vesting the land where Defence Battalion Headquarters (Jaffna) High Security Zone is located now. The notice further stated that claimants for the land could not be traced.

Several schools and churches in this area have been already bulldozed to the ground and at least one holiday resort has been already built in this area owned and operated now by the Security Forces. We strongly believe that most of our land has been already earmarked for similar development purposes.

As we write this, news from reports say that many houses which were occupied by the security forces during the war in the Valikamam North are being demolished in a hurry by the security forces, allegedly to beat any court decision against acquisition of these lands. A Tamil parliamentarian and two Northern provincial Council members³⁹ who went to verify the allegation that the demolition of houses is taking place were chased out by the Security Forces at gun point.

25 years of displaced life not only made psychical and mental affects but also lost of economy, culture and human values as well.

We have organized ourselves, to fight and win our rights to repossess our land as stated in International, Regional, and UN conventions and laws. Therefore we humbly request you to use your good office to assist us in our struggle for our Rights.

Yours truly,

XXXXXXXXXXXXXXXXXXXX



After over 25 years of displacement, having exhausted all possible political and legal channels in an attempt to get their land back, the internally displaced, living in “welfare camps” were forced to petition an international civil society group to seek assistance.⁴⁰ They urged the Oakland Institute to not publish the names of the signatories because they feared retaliation for contacting an international organization

and reported, “...we get calls from unidentified telephone numbers from people who threaten us to stop the IDPs and resettlement related work.”⁴¹

We provide here their story to ensure that in the flurry of official visits, international reports, and ongoing rhetoric about justice, the voices of those still living with the war impacting their lives and livelihoods are heard.

The Last 26 Years: Life as an IDP⁴²

In June 1990, the villages were evacuated as the Army announced via loudspeaker and pamphlets dropped by helicopters, that an operation against the LTTE would soon take place. We (residents) were told to avoid the area for three days. Twenty-six years later, we still wait to return to our homes, lands, and livelihoods.

In 1990, over 28,000 households were displaced from near Thellipallai in Valikamam North. We, the displaced, have faced many different realities since then. Some of us fled the North and settled elsewhere in the country. Others left Sri Lanka all together, with many escaping to Indian refugee camps. Others moved in with friends or relatives, or rented houses in nearby villages. Many, however, were left destitute in IDP camps.

During the war, we received some sympathy from host communities – rent was offered at low rates, children were accepted into neighboring schools, and the government provided dry rations. But times were hard – there was no electricity, transportation, or employment – there was no guarantee for life – always fear, anxiety, and tension.

When the war ended, the meagre support we had stopped as well. Dry rations from the government stopped, and rents became higher. Schools stopped accepting IDP children, especially those living in welfare camps, since the host communities think that IDP children hinder the long-term development of their schools. But we are still displaced, with no place to call home.

Several times we made a request to visit our homes after the war was over. But our requests were rejected. We even made a request to allow us a visit to our temples and churches at least one time. But that too was rejected by the security forces. We hear that our lands are being used for agri-farming and dairy farming. In addition, luxury hotels have been built on our fertile lands. We also hear that there are factories, operated by the army.

We have directly handed our appeal to the President, Prime Minister, opposition leaders, rehabilitation minister, and other ministers to get back our lands and live peacefully. But we still wait to return.

In 2015, some displaced families were able to register for resettlement. But the process of resettlement is full of issues. We fled with nothing from our homes in the midst of a war, but now we need to provide proof of land ownership in the region to register for resettlement. Also some of the areas released were previously used for stone mining and are uninhabitable and cannot be used for farming. Some consist of very overgrown farmland, which makes return and livelihoods impossible. The truth is that much of the landscape has changed in 25 years, making it difficult for our people to properly identify their land. There is still a strong army presence and many of us are afraid and do not want to live close to the army. Also most of the local infrastructure – electricity, health care, schools, and employment and livelihood options – all were destroyed during and after the war. They need to be rebuilt to ensure real return.

There is also a discrepancy in how we as the IDPs are handled. Those living in welfare centers or IDP camps may be considered for resettlement by the Government. However, little attention is paid to those who chose to



live elsewhere – for instance, with relatives in cramped quarters – for the past 26 years. But we all need to return to our homes and lands and start life all over again.

At a meeting in Jaffna on January 25, 2015, Jaffna's Government Agent (GA) submitted his report on the number of families that need to be resettled and how much land will need to be released. The GA's report was, however, rejected by the commanders of the security forces, who claimed that the number of families that need to be resettled is very few and will thus require the release of very few lands. To verify the situation, the Ministry of Defence set up a committee comprising of a civil officer and an army officer, which was charged with registering the families who live in IDP camps and to identify their lands on maps.

This move, however, ignores the IDP families who live with the relatives, friends, or have rented houses for more than 25 years. In addition, most of the IDPs who live in welfare camps do not have lands since they are the second generation – children of those displaced 26 years ago. More important, why are the army officers interfering in family registration and land mapping work? Security forces are getting directly involved in civil administration work. The President instructed that the Provincial Administration be involved as well in the resettlement process. But, it was simply ignored last time. So we have serious suspicion of this process.



Temporary shelter of an IDP in Sampur ©Elil Rajendram

“My name is XXXXXXXXXX. I left my community in Valikamam North in June 1990. Since then I have had to move nearly 20 times. Before I was displaced, my family had a large concrete house and a half-acre of good fertile land. Each month we were able to bring in at least Rs. 10,000 [approximately US\$69] from our farming operation alone.

Today I live in a completely different reality. Without land, I have no livelihood, and I make ends meet as a XXXXXXXXXXXXXXXX. I now live in a rented house in XXXXXXXXXXXXXXXX. I pay Rs. 3,500 [US\$24] per month in rent. In addition, I had to give Rs. 50,000 [US\$345] as security deposit, which I secured through pawning my wife's gold chain at the bank. The deposit will be returned once I vacate the house. Each month I earn around Rs. 8,000 [US\$56]. Of that, nearly 80 percent is spent on rent, medical needs, electricity, and communication expenses. This leaves just Rs. 1,750 [US\$12] for all other monthly expenses, including food, transportation, clothing, etc. Around XXX IDP families are living in XXXXXXXX village. The rent differs based on the house size and conditions. Some families pay as much as Rs. 5,000 [US\$34] as monthly rent and the minimum is Rs. 2,500 [US\$17].⁴³



The long-term challenges for the IDP communities, faced with physical and emotional effects of being an IDP, remain numerous. There are reports and evidence of deep debt, depression, suicide, alcoholism, child labor, and theft.

There is also mistrust of the government's processes for returning land. In a meeting with the Prime Minister on January 17, 2016 at the Palaly Army HQ, IDP representatives were asked whether they needed resettlement, or whether it would be more important to use the lands for development of the Palaly airport or for Kangesanthurai harbor development. We said resettlement was our only priority and that we need our highly fertile lands and rich sea to live peacefully. This demand was supported by civil society organizations. But shortly after the meeting, 1,200 acres of lands were surveyed for Palaly airport development without the knowledge of the landowners, who remain displaced as the IDPs. News reports confirm that the expansion of the airstrip in the Palaly HSZ, related to the commencement of air link with South India is under consideration, despite the opposition.⁴⁴ Such actions related to our resettlement, raise our serious suspicion of the intent of the present government.⁴⁵

“Between February 2015 - May 2015, the Government released 1,000 [acres] in Valikamam North, (Thellipallai DS division) and Valikamam East (Kopay DS division). In December 2015, another 728 acres were released in Valikamam North (Thellipallai DS division). But only 819 families returned to their lands. The rate of those returning is very low, because:

1. Some of the released lands are stone lands and were used for stone mining before displacement.
2. Most of the released farming lands are totally overgrown like jungle and scrub bushes.
3. The landscape of most of the released lands has totally changed. Houses, milestones, and wells have been bulldozed. So, people have difficulties in identifying lands.
4. Some original roads have been closed and new roads have been made by army, creating an access issue to the lands.
5. There are still big army camps in the released areas, creating fear among people who do not want to live along with such camps.
6. Infrastructures have to be rebuilt totally. Progress of rebuilding of infrastructure is very slow.
7. Resettled people are struggling to access clean water and decent shelter.
8. Electricity, health, schooling and livelihood are other major issues in the resettled area.

These are main reasons for the slow progress in resettlement work in the land released area.”⁴⁶

Continued Occupation

On March 23, 2016, Sri Lanka's Defence Ministry unveiled plans to hand over 51 houses in the housing project, Sanhindiyawe Sathvirugama (Sathvirugama meaning Village of Reconciliation), in Kokeliya village, Vavuniya, to “Tamil woman soldiers, soldiers married to Tamil women and vice versa, a soldier with seven children, and next of kin of the rape victim, Vidhya who was murdered several months back.”⁴⁷ The stated intent was to “help heal the

wounded hearts of Tamil populace to some extent.”⁴⁸ However, of the 51 houses constructed in the first stage of the project, six were handed to young Tamil women in the Sri Lankan Army, one went to a Tamil woman married to an Army man, and rest went to Army families.⁴⁹

Protesting the settlement in the North of over 4,000 families from outside, the Northern Provincial Council adopted a



resolution on March 24, 2016, challenging the project's real intent – to change the demographics of the region. The resolution urges President Sirisena to halt settling Sri Lankan military families to the newly constructed housing project. This project of reconciliation is merely another gesture of expressing gratitude towards 'war heroes' and the families of those killed in the war.⁵⁰ According to the Sri Lankan Army's Sinhala website and confirmed by the Sinhala language website of the state owned Sri Lanka Broadcasting Corporation, the families of soldiers belonging to twenty-one regiments and units are to benefit from the project.

An earlier report from a Sri Lankan environmental watchdog showed photographic evidence of the military and Mahaweli Authority clearing 16,500 acres of forest in the North and East to establish settlements.⁵¹ In Vavunia alone, in November 2015, the Army, the Civil Defence Force and the Mahaweli Authority had cleared some 5,000 acres of forest.⁵² In the meantime, according to the Minister in charge of resettlement, some 11,000 IDPs in the North have not yet been resettled.⁵³

Seven years after the war, it is hard to remain hopeful. Despite changes in the government, multiple visits from international dignitaries, and more, people still wait to return home.

Uncertain Path to Justice

Alongside these land and displacement issues are a series of other developments that raise questions about the new administration's commitment to change this situation.⁵⁴

In September 2015, after a six-month delay, the United Nations Human Rights Council finally released its much-anticipated report on war crimes in Sri Lanka.⁵⁵ The findings were horrific, with evidence of mass human rights abuses committed by both sides, including unlawful killings, enforced disappearances, torture, sexual violence, abductions, displacement, the use of child soldiers, and more.⁵⁶

The report was accompanied by a UN resolution, co-sponsored by the Sri Lankan Government, on "promoting reconciliation, accountability, and human rights in Sri Lanka."⁵⁷ Both the report and the resolution emphasized the importance of creating a special system for addressing the atrocities of the war that should involve international legal experts.⁵⁸

On December 1, 2015, the Sri Lankan Government announced the creation of a special war crimes court;⁵⁹

however, in recent months, President Sirisena has publicly backtracked on the agreement to include international experts. In an interview with the *BBC* in January 2016, he stated "I will never agree to international involvement in this matter ... We have more than enough specialists, experts and knowledgeable people in our country to solve our internal issues ... the international community need not worry about matters of state interest."⁶⁰ In an interview with *Al Jazeera* one month later, President Sirisena brashly rejected the findings of the UN report, stating that there were no war crimes allegations against the Sri Lankan government.⁶¹ These statements dash any hopes for a just and impartial judicial process, and highlight the clear need for international involvement.

A second issue concerns continued allegations of torture. In November 2015, members of the UN Working Group on Enforced and Involuntary Disappearances uncovered underground detention centers below a naval base in Eastern Sri Lanka.⁶² The 12-cell chamber contained evidence of torture, and of use since the end of the war.⁶³ Experts believe this is but one of many such centers.⁶⁴

Shortly after this discovery, two reports were released providing evidence of ongoing torture since President Sirisena came into power.⁶⁵ The reports give harrowing details of over 20 cases of torture in 2015, including a case that took place as recently as December 2015. Both reports name Sri Lanka's Criminal Investigation Division (CID) as involved in the abuse, with one commenting that, among the perpetrators, there is an "extraordinary degree of impunity and an undiminished confidence that they will never be held accountable."⁶⁶ This is important because, in justifying his decision to not involve the international community in a special war crimes court, President Sirisena commented, "we have a Criminal Investigation Department and other institutions that can carry out *unbiased investigations* in this regard."⁶⁷ He went on to deny receiving any "official" reports of torture since he came into office.⁶⁸

These developments paint a stark picture that provides little hope for transitional justice and the proper return of land in Sri Lanka.

Most shocking of all, however, is the attitude of the international community. At a time when truth and reconciliation is most vital, important international players like the United States are turning a blind eye to President Sirisena's backpedaling. As recently as February 2016, US Secretary of State John Kerry hosted the Sri Lankan Foreign Minister, Mangala Samaraweera, for the inaugural "US-Sri Lanka Partnership Dialogue" with Samaraweera describing



the renewed relationship with the US as a “veritable renaissance.”⁶⁹ Samaraweera pointed out that as Sri Lanka’s largest export market, strengthened ties between the US and Sri Lanka could provide a springboard for economic development in the country.⁷⁰

As Sri Lanka’s largest export market, the US could instead put pressure on the government to stay true to the promises it made through the UN Resolution for a fair and international war crimes process, but thus far has chosen not to.

Conclusions

“You must be tired when you see people like me year after year and you tell your stories and nothing seems to happen.”

—United Nations High Commissioner for Human Rights, Prince Zeid Ra’ad Al Hussein, at an IDP camp in Sri Lanka, February 2016⁷¹

Over a year after the election of President Sirisena, tens of thousands continue to live in welfare centers, IDP camps, refugee camps abroad, or with relatives, waiting to return home. President Sirisena has not yet launched a war

crimes court, and suggests using the same institutions that continue to abduct and torture local Tamils and civilians as the investigating bodies. Instances of torture and abduction have decreased, but are still very much so present in the country. A culture of impunity remains. One of Sri Lanka’s top army officials from the war, Sarath Fonseka, was appointed Minister of Regional Development in February 2016.⁷² Fonseka was the commander of the Sri Lankan army from December 2005 until May 2009, and was in charge when the worst abuses – including those perpetrated by Sri Lankan forces – took place.⁷³

While some might point out that the Sirisena government has made strides to address issues such as limiting executive powers and corruption, the need for full resettlement and a true reconciliation process is unchanged. Given the events of the past year, it is vital that the international community ensure that these processes occur. International leaders, including Secretary of State John Kerry, must make it clear that an internal war crimes investigation would be a mockery, that an independent and international process must be struck, and that returning land to its rightful owners, to allow the displaced to rebuild their lives and livelihoods is imperative. After almost three decades of displacement, it is time for the people in the North and East to return home.



Endnotes

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