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Ending internal displacement:
The long-term IDPs in Sri Lanka

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Abstract

This paper considers the end of internal displacement in Sri Lanka with particular emphasis on the northern Muslim internally displaced persons (IDPs) in the district of Puttalam. It highlights the dilemmas and challenges faced by the IDPs after a protracted displacement, where the end of a war presents two main options: a return to their origins or integration in the present area of displacement. As analyzed in this paper, these durable solutions need structures and conditions to support them, including effective IDP participation in the decision-making process. The central lesson drawn from the northern Muslim IDP experience is that while there is no single precise durable solution to end displacement, a holistic and integrated approach is needed. The right to return will require the recognition of many factors analyzed in this paper that should be set in place so that return is a sustainable durable solution.

Contents

1   Introduction[1]

This paper considers the end of internal displacement in Sri Lanka with particular emphasis on the northern Muslim internally displaced persons (IDPs) in the district of Puttalam. This paper highlights the dilemmas and challenges faced by the IDPs after a protracted displacement, where the end of a war presents two options: a return to their origins or integration in the present area of displacement. This study seeks to illuminate the discussions on ending the displacement of the northern Muslim IDPs by the government of Sri Lanka and other humanitarian organizations working for the northern Muslim IDPs in the district of Puttalam.

The ethnic conflict that prevailed in Sri Lanka caused many of these IDPs' displacement. The forced eviction of the northern Muslims in 1990 led many Muslims to flee from the north to the south. Even though Muslims fled all over the country, a majority of the Muslims settled in the district of Puttalam. They were named the northern Muslim IDPs mainly because of their origin and the shared tragedy of eviction. Today, generations of these IDPs remain in Puttalam as a long-term displaced population. This has also resulted in a complex situation between the IDP and the host community. The lack of resources and the political climate have resulted in tense IDP– host relationships. Furthermore, the need to return entails reconstruction and reconciliation initiatives (Hasbulla, 2001; Brun, 2008).

There are many reasons why the IDPs still remain in Puttalam. The northern Muslim IDP issue needs to be understood from the conflict and the post-conflict contexts. During the conflict, most of the IDPs in Puttalam did stay there for security reasons. A large number of IDPs purchased land in the area. Aid agencies stated that the Puttalam IDPs are integrated in the present location and no longer in need of assistance. At the same time, there was no political will to acknowledge the IDP presence in Puttalam on a permanent basis (IRIN, 2007). In the post-conflict context, there has been a more pronounced shift towards return as the most viable option.

Protracted displacement often results from long-standing conflicts. In many cases, this is a result of being forcibly displaced due to violent conflict, as in the cases of Sri Lanka, the Thai-Burmese border, Bangladesh, Colombia, Georgia, Burundi and Afghanistan. Being forcibly displaced and remaining for years in another place poses a gamut of issues for the displaced, the host community, and the states.[2] Most of the forcibly displaced remain in

[2] This refers to living in another place apart from their place of origin. The place of origin refers to the place they originally resided. These people displaced are finally confined to a camp or settlement.

Africa and Asia; these include both refugees who have crossed borders and internal displaced persons (IDPs) who have remained within the borders of their country (Adelman, 2008:1).

A distinction can be made here between refugees and IDPs. Refugees have crossed international borders and sought refuge in another country. They fall under the protection of the United Nations High Commissioner for Refugees (UNHCR).[3] IDPs may have an advantage in being nationals of their own state, which theoretically has the obligation to protect them as it does all its citizens, even if its government is unable or unwilling to fulfil that protection obligation. Conditions may be unfavourable for IDPs if the state is the source of violence against those who have been forced to leave, or when the state is at war with rebel groups that share the same identity as the IDPs as in the case of Sri Lanka, or when a state renders IDPs as stateless persons. IDPs face serious challenges in accessing the protective mechanisms of the international community, as the international community's mandate as regards IDPs is unclear (Vision, 2005; Adelman, 2008:1).

Protracted displacement in regard to internal displacement poses challenges in the varied social, economic, and political contexts of the lives of the displaced, the IDP – host dichotomy, state mechanisms of protection, and humanitarian intervention by international community. Therefore, this study focuses on one of the considerably important issues in contemporary Sri Lanka: the future of the internally displaced persons. Issues related to the IDPs in Sri Lanka have taken a paramount importance in international and the national media, which highlights various issues related to IDPs ranging from human rights violations to the attainment of economic and social security. Yet understanding the future of the internally displaced persons in the context of when an IDP ceases to be called an IDP is still an unexplored terrain in the Sri Lankan context. There is a need for studies especially on the theme of the future of IDPs with an aim to define an end to the period of 'being displaced.'

According to Mooney (2003), the importance of addressing the question of 'when internal displacement ends' is important in the following ways. First, it is important for decisions to be made on the termination of aid programmes that are intended to provide relief to the displaced and are further focused on ending displacement. The aid agencies that work on the protracted nature of the northern Muslim IDPs in Puttalam face the dilemma of whether the IDPs would return or integrate in Puttalam. The uncertainties regarding this and the unclear nature of whether or not they have integrated and no longer need assistance have impeded work of aid agencies in terms of building infrastructure in Puttalam. Secondly, it is important to know in order to determine when national as well as international responsibility would shift from a specific focus on the needs of the IDPs to a more holistic community-wide approach in developing societies. Thirdly, organizations and researchers need to know when individuals cease to be IDPs and hence stop counting the northern Muslim IDPs as such. This is also important to reducing the negative effects of 'labelling' the IDPs and potentially impeding their position as citizens of the place (Brun, 2008:148-156). Fourthly, aid agencies and specific interventions often

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[3] The UNHCR is an agency established by the United Nations in 1951 with the mandate of leading and coordinating international action to protect and assist refugees worldwide.

hinge on this question of 'when IDPs cease to be IDPs' mainly in regard to policy-making and budget implications to address IDPs needs effectively. Finally, IDPs themselves have the right to know when the benefits, entitlement-related risks and restrictions on being an IDP will cease and they are entitled to rights as citizens (Mooney, 2003:4).

A strong focus on the search for durable solutions is necessary to address the needs of people forcibly uprooted from their homes (Kalin, 2007:3-6). Here it becomes important to determine when exactly IDPs attain durable solutions and no longer need to be focused on as IDPs. The way this question is answered can have serious effects for the IDPs, as stated by Kalin (2007): "it can lead to the termination of assistance and of a shift in attention away from the particular risks and vulnerabilities associated with internal displacement" (ibid, 2007:3). This is the obvious issue in the case of northern Muslim IDPs in the district of Puttalam.

Usually, the end of the conflict leads to an end in displacements and opens doors for IDPs to return to their places of origin. Durable solutions for returnees depend not only on an improvement of the security situation, but also on better livelihood opportunities. This is equally true in the case of integration as in the case of relocation. This puts forth the view of reconstruction as being a priority after conflict, to enable the return or integration of the IDPs. The long-term IDPs may have a better chance of durable local integration than return, as I suggest in the case for the northern Muslim IDPs of Sri Lanka. Nevertheless, the end of the war has resulted in a platform for many IDPs to return to their places of origin. Returning to their places of origin or relocating to another place or integrating in their present location of displacement each presents a series of issues to confront. Hence this study intends to explore the plight of the northern Muslim IDPs in Puttalam and the issue involved in the search for durable solutions.

Within the context of the provision of durable solutions lies the issue of short-term IDP versus the long-term IDPs. Many activists view the needs and the reconciliation processes as different in these conditions (Haniffa, 2010). Based on this view, this paper concentrates on the provision of durable solutions for the protracted displacement of the northern Muslim IDPs in the district of Puttalam.

Outline of the paper

The main objective of this paper is to understand the prevailing durable solutions for the northern Muslim IDPs in the district of Puttalam. The paper is based on the assumption that the realization of durable solutions will only be possible if the following components are assessed: (i) the historical context of the northern Muslim IDPs, their reasons for the displacement and the associated losses and atrocities; (ii) a multidimensional analysis that includes the social, economic, and political factors attributing to the present context of the IDP – host dichotomy, and the repatriation and reconciliation processes for return, and; (iii) the participation of the IDPs in the provision of durable solutions.

The paper will first analyze the background to the northern Muslim IDP case. The nature and magnitude of the economic and social losses incurred by the evicted northern Muslims must be understood. Furthermore, it gives an insight into their lost positions,

highlighting their plight and their due compensations for facilitating the process for the provision of durable solutions.

In the second section, the present context of the northern Muslim IDPs will be assessed on the prevailing IDP – host dichotomy. This section takes into account the social, economic, and political context that prevails in the district of Puttalam that influences the IDP – host relationship.

The final section will explore the prevailing durable solutions in the district of Puttalam. Here, the durable solutions for the northern Muslim IDPs are explored in the context of right to integrate and the right to return.

Finally, the paper will summarize the findings and make recommendations for the best options for durable solutions that would be sustainable. Furthermore, the impediments on achieving durable solutions are also addressed.

Methodology

As emphasized by Cresswell (2003), my research questions drove the selection of my methods, hence a mixed-method approach was used. Furthermore, this section explores the process of research design and presents the main data collection tools used, the rationale behind them, the strengths and the weaknesses, and the challenges encountered in their application in the field.

Most of the background knowledge on the northern Muslim IDP issue was from my field experiences of working in conflict transformation and peace-building projects in the district of Puttalam, particularly on projects that work to bridge IDP – host conflicts. These types of initiatives are very important in the integration process of IDPs in Puttalam. Furthermore, this also facilitates an understanding of the importance of peace-building initiatives in reconciliation efforts with other communities in the north if the IDPs opt to return. The qualitative data, in the form of semi-structured interviews, are drawn from the data collected for my master thesis. These interviews comprised of northern Muslim IDPs in Puttalam, NGO/INGO personnel and community leaders from both the IDP and host communities. Most of the quantitative data is drawn from the survey carried out by the Ending Displacement Project, under the IDP project of the Human Rights Commission, Sri Lanka. The data has been used with due acknowledgement to the project. Statistics from the UNHCR Reports did further provide me a comparative analysis on durable solutions through the years.

Research design, techniques of data collection and analysis

This study was structured around the following three durable solutions as emphasized in the Guiding Principles on Internal Displacement: integration, return to origin, or relocation (UNOCHA, 2004). Hence this was a study based on the preferences of the internally displaced for the durable solutions and their interpretation of how they themselves viewed ending displacement and ceasing to be IDPs.

My sample was a purposive sample. Having a background in the area of Puttalam and working in the field of conflict transformation and peace-building especially in the

context of Puttalam, my prevailing knowledge did facilitate my study. Having a basic knowledge in field of my study through the gathering of knowledge in the area for a period of two years, I have had the basic rationale that IDP preferences related to durable solutions are based on integration, return to origin or relocation. Having this in mind, I designed my sample size of 45 IDPs. This includes those willing to integrate, those willing to return to their origins, and those willing to relocate to another place (18:18:9). At the inception, having pre-tested the semi-structured interview format, I did have the knowledge that very few wanted to relocate (so I did intend to have nine interviews with IDPs who wanted to relocate. Out of eighteen in each category, the sample was further divided into age categories of 24 years and below, 25 to 44 years, and over 45 years. Furthermore, an equal gender representation was designed into the sampling process. The main rationale here was to identify whether age and gender was a factor influencing preferences for durable solutions.

The envisaged research design changed in the middle of my field work as I found very few who wanted to relocate, thus reducing my sample size to 40. Nevertheless the sample size did provide substantial evidence appropriate to the context that I intended to study. The reduction in sample size for relocation was an indication that many IDPs did not want to relocate.[4]

Further interviews of NGO personnel and community leaders were taken to substantiate some of the aspects of my research study. This was to gain an understanding of the integration processes prevailing in Puttalam and the conditions needed for return. The influential, prominent and well-informed nature of these people is based on their structural position and expertise, which contributed to my study (Marshall and Rossman, 2006:105). Open-ended interviews were appropriate for my study as it enabled me to uncover and describe the participants' perspectives on durable solutions as appropriate to their conditions and circumstances (ibid). Observations formed a key component of my study. They helped me to study the subject of my research in varied contexts such as during interviews and informal discussions, and their interactions and normal way of life. Documentaries and photography provided a visual representation of the daily life of Puttalam IDPs and hosts thereby giving further insight to my study (ibid).

Most of my knowledge and understanding on the issue of integration as a durable solution was based on my experiences. This was mainly through participation in trainings, and being exposed to action research methodologies and appropriate case studies. Action research is the application of fact-finding methods to IDP – host issues in Puttalam with a view to improving relationships between IDPs and hosts. It is at the core in many projects that I have worked with. Hence action research is a collaboration and cooperation of researchers, practitioners, and laymen all contributing to their understanding of the context (Burns, 2000:443). These brainstorming, analysis, and project monitoring initiatives have helped me to further strengthen my understanding of the durable solutions, especially regarding integration of the northern Muslim IDPs in Puttalam. Furthermore, case studies are included to show how integration processes

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[4] I have to distinguish the term 'relocate' in this context. My research design was based on relocation to another part of the country. However, there was a substantial number of IDPs who wanted to relocate to their places of origin or the present place of displacement.

could be further strengthened through peace-building initiatives. Case studies do allow a researcher to maintain the holistic and meaningful nature of real-life events (ibid:460). In many aspects, I remain as a research facilitator exploring the context than as a practitioner locked into my own perception and interpretation of the situation. This I consider as important, because if I did not, I would fail to take into account the varied views and life experiences of the people with whom I work (String, 2007).

Reflexivity: being a Muslim female researcher
Being a Muslim female researcher contributed immensely to my study. I was able to speak to many Muslim women, who had no problem opening up to another Muslim female researcher. It was easy to have discussions that touched upon more than the required topics, giving me an overview to the context of the durable solutions. The shared ethnicity and knowledge of the researcher and the subjects contributed to the research. Nevertheless, my limitations arose mainly due to the fact that I was not very fluent in the language spoken even though I had good oral comprehension of the language. Hence, I did have an interpreter for my interviews. The interpreter was from the host community. Being also the gatekeeper into the community, he did have an influence on the subjects that were interviewed. Most of the IDPs (especially in Kalpitiya), did give me a good picture of the IDP – host relationship as the interpreter was well-known (from the host community) and an influential community mobilizer working with various development initiatives. This I consider a limitation as many interviewees did not bring out factors on the host – IDP complexities during the interviews. Yet I did substantiate this aspect of research from my experiences and other discussions that I had during my field visits, wherein I investigated the complex issues of the IDP – host dichotomy. A further limitation was that I worked for the donor. Some of the interviewees did know me as being part of the organization with which I was affiliated. Hence this, too, could have affected my interviewee responses.

Keeping in mind the ethics involved in my research, I was careful to take the utmost consideration of this aspect from the stage of seeking permission for my interviews. I made it very clear from the beginning that this research was part of my studies and would contribute to the overall development on the preferred durable solutions for the IDPs.

2   The case of the northern Muslim internally displaced persons in Sri Lanka

Background
The northern Muslim IDPs were forced to flee the Sri Lankan ethnic war that had its roots in the conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan government. Korf and Engel (2006) state that the Sri Lankan civil war was a 'sons-of-the-soil' conflict (as coined by Uyangoda, 2003), even though as an ethnic conflict, it had a multidimensional nature. This was mainly due to the resulting social and political cleavages that occurred at various levels along many lines of dissent. The core of the macro-level conflict was the grievance between the Tamil minority and the Sinhala-Buddhist majority that escalated into a war between the Liberation Tigers of Tamil Eelam

(LTTE) and the Sinhalese armed forces (Korf and Engel, 2006). This resulted in decades of armed violence with massive destruction. As emphasized by Rajasingham (2003):

> "……the war resulted in the disruption of multicultural and bilingual communities, as well as loss of life and property, displacement of people, 'ethnic cleansing', violations of basic human rights including the freedom of movement, the erosion of democratic norms, and the attenuation of civil administration in the war zones. In the capital, the war exacerbated an already dysfunctional democratic process. Even though the conflict affected all ethno-religious communities in the country, residents of the north and eastern provinces suffered the brunt of the destruction. Many lost their livelihoods, and saw their families decimated by the violence…" (2003).

The northern Muslim 'identity'

The northern Muslims have their origins in Mannar, Jaffna, Kilinochchi, Vavuniya and Mullaittivu districts of Sri Lanka. Many authors have explained the identity of, 'the Northern Muslim IDP' (Hasbulla 2001, Thiranagama 2007, and Shanmugarathnam 2000). Thiranagama writes:

> "In 1990, Muslims from the North of Sri Lanka became, '[n]orthern Muslims' – a community created around (1) common origins in the northern districts of Sri Lanka; (2) a shared collective experience of 'the Eviction'; and (3) collective internal displacement. Before the evictions Muslims identified themselves through districts e.g. Jaffna Muslims, Mannar Muslims. The term 'Northern Muslim' came into currency only after the eviction and it denoted a community traumatically born through eviction, it gave them an origin in a place, a region, after they had lost it. The strength of this collective identification and the density of stories of the eviction in Puttalam cannot be under estimated. Diverse families, individuals, and villages found that even though their pasts were dissimilar and multiple, in 1990 the LTTE ensured that their futures would be intertwined. This loss continues to structure Northern Muslim identity, through its concretization in the everyday residential spaces that Northern Muslims inhabit and recreate" (2007).

The forced eviction of 1990

The Muslims were a minority in the Northern Province. Being a minority, they coexisted well with the majority community, the Tamils. The two communities had similarities on the based on language and a shared culture. Yet differences also existed in terms of culture and ways of life. There were differences in terms of political views. The emergence of an exclusive political party for the Muslims in the Eastern Province did reflect this thinking (Hasbulla, 2001:43).

As stated by Hasbulla (2007a), the changes in the lives of the northern Muslim IDPs began with the eviction by the LTTE on 22 October 1990. Here the Muslims of the districts were asked to leave their homes within a span of 24 hours that was later extended to 48 hours. The order was announced through loudspeakers and enforced by armed LTTE cadres who went from house to house ordering the Muslims to leave the town and village. The incident was a shock to many Muslims who have had cordial relationships with the Tamils for a very long time. The expulsion was ruthless and a population of 75,000 men, women and children left the area (Hasbulla, 2001:44).

Many of the Muslims fled by sea or land. Most the Muslims of the Mannar fled by sea and arrived at the Puttalam and Kalpitiya coasts while others crossed the Vilpattu and Madhu

jungle trekking several miles and arriving at Medawachchiya, Horowupotana, Gambrigaswewa and other settlements in Anuradhapura district (ibid, 2001:45).

As stated in the report of the District Secretary of Puttalam, about 65,000 internally displaced persons arrived in that district in the last week of October 1990 and were accommodated in 116 welfare centers which were opened mostly in the predominantly Muslim divisions of Kalpitiya, Puttalam, Mundal and Wanathavillu (Shanmugaratnam, 2000). Even after the eviction, northern Muslims continued to construct their identities around their place of origin. New settlements and residences in camps were structured around former natal villages from the north. In fact, the camps were named in accordance with the names of their villages of origin. The IDPs kept their 'thoughts' of Jaffna while still living in Puttalam. This was amplified with the distinction made between the locals and the IDPs. IDPs continued to make social and moral distinctions between local and *ahathi* (IDP) Muslims (Thiranagama, 2007).

The memories of the eviction were justified by some of the interviewees during the interviews:

> "….some came with only the dress they wore, they had very few hours to decide or prioritize on what to take with them. Members of the same family were split in different boats, with crying children in their hands elders ran to their boats. It was a terrible situation that still remains in the minds of many IDPs" (Rafeek, field interview, 2010). [5]

While the agony remained in the hearts and minds of many, they tried to make their homes in Puttalam while clinging to their identity. Apart from the shared identity as expressed above, maintaining the identity was also important because it formed a way to identify them as a category that needed aid as being listed in their ration cards (Haniffa, 2010). [6]

When the IDPs arrived in Puttalam, it was a multi-ethnic community with a strong and influential Muslim minority. Even though the IDPs were Muslims with the same ethnicity and language, there were differences (Thiranagama, 2007). These included differences among locals and IDPs on the basis of regional origin. These also included mainly cultural differences. In some areas of the north, Muslim women had more freedom in that they could move freely, pursue education and had a blend of northern Tamil and Muslim dressing among other liberties. There were also differences in the dialect of the northern Muslims in comparison to the Muslims of Puttalam (Rafeek, field interview, 2010).

Complexities in IDP – host relationships

When the IDPs arrived in Puttalam, they were warmly welcomed by the host community. The Muslim spirit of brotherhood was the core bridging both communities. The locals, government authorities and NGOs were quick to find the IDPs places to stay and provide them with basic meals and clothes. The locals also shared resources such as schools and

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[5] The subjects of the study remain anonymous. The names used are substitutes that help identify the gender and status of the respondents.

[6] Ration cards were cards given to IDPs to obtain their monthly rations from the government authorities.

also provided areas for the IDPs to fish and work in the fields as livelihood options. The locals empathized with the agony of the IDPs and provided the best they could give. The situation lasted only for the first month and finally, with the protracted nature of displacement, the relationships deteriorated (Brun, 2008).

There are many studies of the IDP – host relationship in Puttalam. While some studies emphasized the emerging tensions between the IDP and host communities, other studies emphasized their coexistence. Rajasingham (2003) emphasizes the how the influx of IDPs in Puttalam misbalanced and jeopardized local structures and modes of coexistence within host communities. As he expresses:

> *"In Puttalam, the infusion of a large number of Muslim IDPs unbalanced the ethnic mix of populations and exacerbated tensions between the host community Muslim, Sinhala and Tamil groups. There is a possibility that conflict between the various ethnic groups might erupt if the situation is not adequately managed. While initially the internally displaced fleeing violence receive sympathy and assistance from host populations, a decade later the hosts felt that they have overstayed their welcome and tensions between some of the local communities and the refugees were developed. Many landlords, who for years did not charge refugees rent and allowed them the meager produce of the land, now own their land back"* (Rajasingham, 2003:119).

The IDPs did strain the local economies. The oversupply of labor did drive wages in the local economy down and this affected the poorer members of the host community. At the same time, the wealthier refugees who could afford to move out of the camps tended to rent houses, buy land and integrate or try to integrate into local life, resulting in conflicts between impoverished sectors of the host population and the IDPs (Rajasingham, 2003; Shanmugaratnam, 2000).

Humanitarian interventions also created tensions on the IDP – host relationship. Projects and interventions only focused on the IDPs and this was viewed by the poorer segment of the host community as unfair. Some of the host community often felt that the IDPs were receiving more assistance than they deserved, especially in light of the fact that the IDPs are seen to have adversely affected the local economy through their oversupply of wage labor and by taking up other resources (Rajasingham, 2003:119).

As generations were spent living in the present location, the solutions of return or integration have been tense. The divided generations of northern Muslims as IDPs settled down in the present location and did try to make a living as some of their children married in Puttalam. It was evident that among many of my older interviewees, their relationships to their former homes were formed directly. As Farook expresses:

> *"I had my own cultivation in my village and had a good livelihood. I had a five acre land with a house. I was considered rich there. Here I found it very difficult to earn. See my present state. I am old now. I still have the memories of my home in Mannar. I stay here because my wife died here and my children are married and settled here"* (field interview, 2010).

They had memories that carried them to their places of origin and the willingness to return and they also wondered about the conditions for their children. When it came to the option of return, the interviewees found it impossible to think of a future in which the

consequences of the eviction would be erased, and one in which different generations occupied different emotional landscapes. It was evident among the interviewees that some of the older generation strongly desired return to the north, but this cannot be clearly stated as some also did prefer to integrate as they had their built their lives in Puttalam along with those of their children. The intermediate generation who settled in camps and raised children in the camps, spoke of their memories of their former villages and their longing for that life but also saw that their lives were tied to those of their children who had settled in Puttalam (Thiranagama, 2007:20). This entails a 'choice' in the selection of durable solutions. This choice is dependent on the history, present context, and future aspirations of the IDPs. The durable solutions for the northern Muslim IDPs are explored in the next section.

3 Durable solutions for the northern Muslim IDPs

The provision of durable solutions in the case of the district of Puttalam needs to take into account the historical context of displacement along with the transformations in the political context discussed in section two of the paper. Furthermore, it is important to consider the issues involved in integration which need to take into account that IDPs have lived in the place for between 15 and 20 years.[7] Taking all this into consideration in formulating a clear framework for durable solutions, the options of these solutions— whether to return, relocate or integrate— need to be devised with the participation of IDPs.

At the onset, the northern Muslim IDPs settled in nearly 200 different locations in Puttalam District. According to the government terminology, these IDP settlements were called 'Welfare Centers, Relocated Camps and Resettlement Villages' (Hasbulla 2001:90). Upon the arrival in the district of Puttalam, the northern Muslim IDPs first took shelter in schools or other temporary relief centres. Gradually the government and agencies started establishing welfare centers either in government-owned or privately-owned land. In these camps, IDPs lived in tents or in *cadjan* huts. Over the years, the locals started claiming the privately-owned lands which resulted in tensions within the area (Brun, 2008:160).

The welfare centers became the home for the displaced and they considered these as temporary alternatives while longing to go home one day. Life in the welfare centers was unsatisfactory with poor water and sanitation issues. Privacy was lacking; Muslim women did not have enough space to pray (Brun, 2008:161) and had to travel distances for water. Socially and psychologically, the displaced families felt insecure and vulnerable as a result

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[7] The variations in the years is mainly because of the fact that some of the IDPs came directly to Puttalam as a result of the eviction by the LTTE in 1990 which includes a majority of the IDPs settled in Kalpitiya, while others came to Puttalam after being displaced more than once into various parts of the country.

of continued displacement (Hasbulla, 2001:68). Some of the IDPs have already de facto integrated in Puttalam, while some longed to return to their homes in the north. Amidst this backdrop, there was a great need for durable solutions in the form of return, integration or relocation in another area.

With the end of the war there are new rays of hope for the northern Muslim IDPs. There are indications that the government is taking fervent steps to end displacement and this can be seen as a positive signal in the long voyage of ending displacement of the northern Muslim IDPs. There are also impediments to the process of taking action. First and foremost is the political context throughout the country which has a significant impact on the provision of durable solutions. Second is the shift in attention by the government and the other agencies to the recent influx of IDPs during the last phase of the war and neglecting the long-term displaced. Third, resettlement processes need to be accompanied by a clear vision and, finally, the IDPs must be included in the decision-making process.

This has been stated clearly in the International Crisis Group Update Briefing 2010:

> *"Their right to return to their lands in the north must not be forgotten amid concerns about the more recently displaced. Donors should request the Sri Lankan government to clarify their plans for the return and resettlement of Muslims displaced from the north in 1990. Their right of return should be clearly established, while also recognizing that some may not want to leave their current homes and should not be forced. Those who do wish to return should be offered the resources necessary to do so, as well as assistance in rebuilding and developing their villages with community participation"* (ICG, 2010:6).

The northern Muslim IDP situation has been highly politicized. Politicians have manipulated the aggrieved context and used it for their benefit as a potential voter base. This is one of the greatest impediments to the provision of durable solutions. These IDPs are gold mines for politicians making promises before elections. In many instances, the situations of IDPs are manipulated often resulting in conflicts among IDPs and host – IDP conflicts. The president of Sri Lanka promised to take actions towards the resettlement process before the end of May 2010, that is, in 2009 before the presidential elections. Many northern Muslim IDPs have been pinning their hope in this statement. Yet no plan has been finalized, and no process has been started to put in place structures that would differentiate between the needs of the long-term displaced and the short-term displaced. In fact, no proper consultations with the IDPs have taken place (Haniffa, 2010).

Positive comments on the provision for a durable solution for the northern Muslim IDP context can be viewed in statements made by the Minister of Resettlement and Disaster Relief Services, Rishad Bathiudeen, in December 2009. Here, he promised that the government would start resettling more than 100,000 Muslim IDPs in their places of origin (UNOCHA, 2010). But at the same time, human rights groups say that the plight of the northern Muslim IDPs is largely ignored. Analysts and aid workers claim that the government and the international focus has been shifting to the recently displaced thousands of Tamil ethnic IDPs resulting from last phase of the war.

The northern Muslim IDPs do fear that their plight would be hardly acknowledged and would be kept away from the planning of the entire resettlement process. Here it becomes important for the government to clarify plans for the return and resettlement of IDPs.

While maintaining the right to return, it also becomes important to acknowledge that some do prefer staying back since these IDPs should have the right to stay and not be forced to leave (ICG, 2010).

Theoretical framework for durable solutions in the northern Muslim IDP case

The frame work for durable solutions is based on the report 'When Displacement Ends: A Framework for Durable Solutions and the Guiding Principles on Internal Displacement' (UNOCHA, 2004) which outlines the three durable solutions of integration, relocation, and return. [8]

Kalin (2008) states in the report of the Representative of the Secretary General on the Human Rights of Internally Displaced Persons that:

> *"as citizens of their country, IDPs in Sri Lanka remain entitled to all guarantees of international human rights and international humanitarian law subscribed to by the State or applicable as customary international law. They do not lose, as a consequence of their displacement, the rights of the population at large. At the same time, IDPs have needs and vulnerabilities distinct from the non-displaced population, which must be addressed by specific protection and assistance measures."*

These rights are detailed in the Guiding Principles on Internal Displacement, which, though not directly binding, reflect and are consistent with international human rights and international humanitarian law. They have been recognized by states as "an important international framework for the protection of internally displaced persons," and are increasingly reflected in national laws and policies (Kalin, 2008:5).

The Guiding Principles on Internal Displacement state that:

> *"Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the grounds that they are internally displaced"* (UNOCHA, 2004).

From this emanate the rights and freedoms of the displaced.

Durable solutions for the internally displaced are specified in the Guiding Principles on Internally Displacement.[9] These include the right to return, resettlement and reintegration. Principle 28 of Section 5 emphasizes the duty and responsibility of the authorities to allow internally displaced persons to return voluntarily to their origins or to resettle in another part of the country. The process of reintegration of returned would be the duty of the state (UNOCHA, 2004).

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[8] The framework for durable solutions is taken from the report, 'When Displacement Ends: A Framework for Durable Solutions' (2007) produced by the Brookings-Bern Project on Internal Displacement.

[9] The Guiding Principles on Internal Displacement identifies rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return, resettlement and/or reintegration (Section 1 of the Guiding Principles on Internal Displacement).

The rights would only be meaningful if proper consideration is given in terms of sections of the Guiding Principles such as article 29-30, which provides a guarantee of security, provision of compensation or reparation and participation. Participation plays a main role without which meaningful steps are unattainable (Hasbulla, 2007b).

The search for durable solutions becomes meaningful only with the participation of the IDPs. The importance of IDP participation in the decision-making process on attaining durable solutions for displacement is cited in many documents and projects such as the voices of the IDP (IDP Voices, 2009).

A comparative analysis on the preference of durable solutions during the conflict and post-conflict phases is the subject of the next paragraphs.[10]

In the 2004 survey carried out by the UNHCR, "2% (325 families) said that they were prepared to return home immediately, while 60% (8,574 families) of the survey population could foresee a return home at a later stage, while 38% (5,564 families) reported that they wished to integrate locally in Puttalam District" (2006). In the validation survey carried out in 2006, the preferred durable solution was local integration (96%, 14,928 families). A small proportion expressed preference to return home in the short- to medium-term (4%, 552 families). None of those surveyed indicated that they were interested in relocation. Of those who preferred the durable solution of returning home, 62% (344 families) preferred the alternative durable solution of integrating locally in Puttalam (ibid, 2006).

In the 2009 October survey, 88% reported that they would like to return home, 10% that they would like to relocate in the district of origin, and 2% that they would like to integrate (IDP Project, 2010).

The three surveys showed an opinion shift in terms of the preferences for durable solutions. This shows that durable solutions are closely correlated to the environmental context in which IDPs live. The main factor affecting these preferences is the security aspect (Shewfelt 2007:2): the change in the security context emerging after the end of war shifted the opinions of many IDPs towards returning to their origins (home).

In considering viable options for durable solutions the following should be considered. 'Return' as a durable solution would have to be considered in the context of the following possibilities: (i) whether the IDPs would be willing to return if they have houses and land in the place of origin, (ii) if they would be willing to return if they have only land but no houses, and (iii) if they were willing to return, but have no houses or no land in their place of origin.

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[10] There are differences in the surveys in terms of methodology, sampling, and organizational objectives. Nevertheless, the surveys could provide an analysis on the preference for durable solutions over the years. The 2004 and 2006 statistics are based on the UNHCR survey, while the 2009 statistics are based on an independent survey carried out by the National Protection and Durable Solutions for Internally Displaced Persons Project – Human Rights Commission of Sri Lanka.

'Integration' as a durable solution would have to be considered in the context of the following possibilities: (i) the IDPs are unwilling to return as they have both home and land in the present location; (ii) the IDPs are unwilling to return as they have land in the present location but no house, and; (iii) the IDPs are unwilling to return and prefer the present location though they have neither land nor house.

'Relocation' as a durable solution would have to consider that IDPs may be unwilling to return to their original places or integrate in the present location, mainly because this group of people do not have houses or land in either of the origin or the present location.

With the end of the war, many IDPs are willing to return to their place of origin. This makes it important to work on structures that can facilitate their return.

Many alternatives seem to be needed in the context of Puttalam as many IDPs have varied preferences on the choice of durable solutions. This is mainly because of the attached preferences and the burdens they have been carrying with them. Appropriate frameworks will have to consider all these options. This makes it important if durable solutions are to remain sustainable. It is in this context that the participation of IDPs could be considered very important. It is only if they take a part in the process that durable solutions can be generated.

Furthermore, the work of the Citizens' Commission to investigate on the expulsion of Muslims from the Northern Province is commendable. [11] The Citizens Commission was an initiative of many activists working in the issues concerning the northern Muslim IDPs. As there was no commission by the state on this regard, the Citizen's Commission will propose recommendations for a state commission that would work on the northern Muslim issue (Haniffa, 2010).

Dr. Nesiah views the scope of the Citizens' Commission as follows:

"All this does not mean that there is no difficulty in reversing ethnic cleansing after a lapse of 20 years. That reversal should have been effected long ago. After a community departs from a locality, their properties progressively degenerate. Further, over the years, others move in to fill the vacant spaces created in the educational, social, economic and political life of that locality. At the other end, the displaced populations get settled in to their new locations with new neighbors, new schools, new economic and social activities, etc. New relationships get established superseding, in due course the old. The younger generation may have no ties at all binding them to the earlier location. With every passing year, reversal of ethnic cleansing becomes more difficult. Without focused intervention, very few may go back. The appointment of this Commission is very welcome, though long overdue" (2010).

The Commission works on the reconciliation process of the northern Muslim IDPs. The Commission intends to bring recommendations for the northern Muslim IDP issue by highlighting four aspects of the issue.

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[11] The Citizens' Commission was a joint result of the Law and Society Trust, Community Trust Fund, People's Secretariat and Rural Development Foundation.

First is the state's lack of recognition of the northern Muslim IDP issue. With the end of the war, there were high hopes for the northern Muslims, but the focus of the state was more on the short-term displaced as a result of the war. Both of the issues were important, but the state's severe negligence resulted in fear among the northern Muslims. Furthermore, the government did not distinguish between the long-term displaced and the short-term displaced. It rarely acknowledged that there were differences and that proper structures should be put in place for durable solutions for a population displaced for close to twenty years. This has resulted in many uncertainties for the northern Muslims as there is a need for structures and processes on the ground to facilitate their return, integration or relocation solutions. Humanitarian organizations and aid communities have focused on the new IDPs due to the prevailing uncertainties of the northern Muslim IDPs. They are not sure whether it would be better to advocate for return or reintegration. Some organizations have stopped for an instance building infrastructure in Puttalam as they feel that northern Muslim IDPs would eventually return. These uncertainties have resulted in a wave of tension among the IDPs not knowing their fate or where to go.

Secondly, a large number of northern Muslim IDPs want to return. This was evidenced from the narratives found during a recent survey.[12] Therefore, there is an immense and urgent need for the government to work on the process and structures such as on issues of land permits and establishing a land commission.

Third is the incorporation of the host community. The host community has been bearing the burden of the large displaced population amidst them while being in context in which opportunities lack. In many instances, there were no proper services and the sharing of resources has been difficult. So the consent of the host community is a prerequisite. Furthermore, their consent is also needed in the reintegration process as many IDPs do prefer to reintegrate, having a twenty-year history in Puttalam.

Fourth concerns the IDPs' integration with the Tamil community in the north. This becomes a key in the reconciliation process. For twenty years, the Muslims have been away from this place, and very few would recognize them when they went back. In many instances, new people would be joining them in their return, for instance, the youth who have been born in Puttalam but have origins in the north. In such circumstances, there is a prevalent need to bridge the two communities. This includes a peace-building process, where both communities would take part in the process and in the new development initiatives that would take place (Haniffa, 2010).

All these arguments elucidate the study by providing a framework to understand the durable solutions of integration and return faced by the northern Muslim IDPs in Puttalam.

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[12] The Citizens' Commission is conducting a documentation of narratives in regard to the expulsion of the northern Muslims and their future (Citizen's Commission, 2010).

4   The case for local integration

Local integration is a viable durable solution in the context of the northern Muslim internally displaced persons. Years of displacement qualify the displaced with the right to be integrated, as stated in the Guiding Principles on Internal Displacement (Section 5). The analysis in the following section intends to provide the theoretical underpinning to understanding the on-the-ground reality and argue the case of integration as a durable solution. Most of the literature and frameworks are based on a refugee context which can also be applied to the IDP context, even though there are differences between an IDP and a refugee, as discussed in section 1.

As stated by Crisp (2004), there are three interrelated dimensions to the process of local integration. Integration can be considered a legal process, an economic process, and a social process. As a legal process, integration includes the struggle for citizenship by the IDP that will enable the right to seek employment, engage in income-generating activities, and own property in the present location. These rights will eventually lead to the acquisition of citizenship in the local area. As an economic process, integration would mean that the IDPs have established their livelihoods, thereby attaining self-reliance and becoming less reliant on aid given by the state or other aid agencies (Crisp, 2004).

Furthermore, integration can be viewed in terms of indicators that have the potential to measure integration. The case of integration in the district of Puttalam was viewed through the key domains of integration which are related to the four overall themes of (1) achievement and access across the sectors of employment, housing, education and health; (2) assumptions and practices in regard to the citizenship of the IDPs; (3) processes of social connection within and between IDPs and the hosts, and; (4) structural barriers to such connections related to the culture and local environment in Puttalam (Ager and Strang, 2008).

Local integration processes in protracted displacement entail both the needs of the displaced and of the hosts. The process to achieve integration depends on the strategies of both parties through interactions wherein both strive to accept each other through a process of sharing and building relationships of coexistence (Brun, 2008). There are valid arguments that need to be considered in the durable solution of integration especially in Puttalam. In this context, IDPs do not necessarily have to return to their origins as a solution to end displacement. This view stems from the fact that as long as IDPs benefit from the protection of the state and do enjoy physical, material, and legal security by integrating in Puttalam, the issue of displacement can be resolved (UNHCR, 1997 as cited in Brun, 2008).

Integration as a holistic development approach can be looked at through the interrelated dimensions proposed by Crisp (2004). Holistic development includes development in social, economic, political and cultural dimensions, and Crisp's interrelated dimensions encapsulate such aspects. As previously noted, as a legal process, integration includes the struggle for citizenship by the IDP: a citizenship that will enable him or her to seek employment, engage in income-generating activities, and to own property in the present

location. Among the interviewees some of the IDPs were well established with links to the market and engaged in the economy of their location. As Riyaz stated:

> *"I have my own business here and I am well settled in Puttalam. I have had no restrictions in my business. I can earn more and more here as I have established my business and customers….I have got used to this place"* (field interview, 2010).

Even though some of the IDPs have positive experiences, not all IDPs have had such opportunities. In fact, some have remained in the worst conditions in terms of adapting into the local community: they had a standard of living lower than the poorest member of the host community. These cases stand in contradiction to the context of being 'integrated,' as Aysha explains:

> *"It has been hard for me to live here. I had my own house and land in Mannar. We had our cultivation in our own lands and had a good living. Here I work on temporary jobs. Being a widow, the condition has been worse"* (field interview, 2010).

As a social process, integration would mean that IDPs live alongside the host community without any discrimination or exploitation by the host community. This was evident among many of the interviewees who responded that the IDP – host relationship was based on coexistence, mutual understanding, and sharing:

> *"There is unity and brotherhood among us. Today we are as if part of them. We have no differences. We celebrate events together. They invite us for their functions, wedding ceremonies etc, and we invite them"* (Hisham and Nuzra, field interviews, 2010).

> *"In fact I am married to the host community. We have no difference. They treat me well. They have given me my due respect"* (Rikaza, field interview, 2010).

Further to the understanding of integration through interrelated dimensions (Crisp, 2004), integration could be understood in terms of indicators with the potential to measure integration (Ager and Strang, 2008). Looking at the key areas of employment, education, housing and health will help explore the capabilities of the IDPs to integrate in Puttalam.

Opportunities in employment and livelihood options
Employment and livelihood opportunities are a key issue in the process of integration (Brun, 2008:189). There is underemployment mainly due to the lack of opportunities. Most of the IDP population had to start from the beginning as casual laborers (Shanmugaratnam 2000:195), as evident by Abdul:

> *"In Mannar (Mussali), I had my own business and cultivation. My livelihood was good, and I was able to live well. When I came to Kalpitiya, I had to start with odd jobs, and now I am a carpenter…"* (Abdul, field interview, 2010).

Employment has been an issue that has significance for planning for the future, restoring self-esteem and self-reliance (Ager and Strang, 2008). As stated by Riyaz who has made Puttalam his home:

> *"I have made my business…my business links are here. A very good income….I have a good relationship with the host… I have my future here"* (Riyaz, field interview, 2010).

There are also social tensions in the issue of livelihood, where conflicts erupt over access to common resources like fishing grounds, forests, and grazing lands. Competition is visible among the IDPs and the hosts in business. In a way, competition helped in the progress of some businesses while in some cases, it threatened the host community with losing their established trading and business ventures (Shanmugarathnam, 2000:6).

Successful integration depends on the ability of IDPs to make a living in their present locations. This includes vocational training, especially for youth, and opportunities created through development initiatives at the state level. As Azeez argues:

> *"The government should provide every facility for us. We have little land. We need to develop what we have as we continue to live here"* (field interview, 2010).

Opportunities for housing

The next aspect that needs to be considered is housing. The feeling of 'being home' affects a person's overall physical and emotional wellbeing. This is well-assessed in many research studies. Housing and access to land were issues that often impeded the process of integration. Many IDPs were still settled in welfare centers. They were constantly under the impression of living in someone else's place. The IDPs needed a permanent settlement. Many IDPs did buy land and settled themselves in Puttalam. This also increased tension within the IDP and the host communities. The hosts felt as if they were being colonized in their own land. This is also due to increase in the price of land and increased demand for land. Furthermore, the hosts did not have the ability to use unclaimed lands for such tasks as grazing and collecting firewood as they did before as these lands were used to settle the northern Muslims. Hence, effective integration needs to consider the issue of housing – a feeling of 'being home' that would help consolidate the position of IDPs as citizens of Puttalam (Brun, 2008).

In the Puttalam context, housing schemes provided permanent housing and made conditions bearable for the IDPs. The schemes also resulted in people continuing to hope to return to their origins as this enabled the government to pursue on the strategy of control over the IDPs (Brun and Lund, 2009).

The World Bank Housing Project in Puttalam provides an interesting example as it clarifies the difference between finding a durable solution on one hand (integration) and housing, land, and property restitution in the other (as in the case of return). Here the IDPs who participate in the World Bank Project by receiving a house from the project (that would enable them to integrate in Puttalam) do not lose their right to return to the homes at their places of origin (return as a durable solution) wherein they may still claim their old properties back at the places of origin, independent of restitution. Here the IDPs are given the choice to have both durable solutions of integration and return. Yet they may no longer be able to claim compensation for repair or rebuilding works in their homes in the origins (COHRE, 2007).

Opportunities in education and the availability of healthcare facilities

Other aspects of integration include education and health. These two indicators are important to the wellbeing and development of both the hosts and the IDPs. Many of the

interviewees identified that there were no disparities in schools for their children. All children were treated equally. The lack of infrastructure is a common problem for both the IDPs and the hosts (Azeez and Niyaz, field interviews, 2010). In fact, schools became important avenues to build relationships between IDPs and host children. One of the main areas considered for conflict transformation projects was the school system in Puttalam (FLICT, 2006:50). There were few cases of discrimination reported in the afternoon schools for IDPs, such as the exclusion of IDP students (field observations, 2010). Overall, there was equal opportunity for both the IDP and host students.

The indicator of health was an issue for both the IDP and host community. Especially in Kalpitiya, health standards were deteriorating. Many IDPs complained of the spread of diseases, the lack of sanitation and of proper healthcare as impediments to integration in Puttalam. As emphasized by Umma:

> *"We want to be in this place, I built my own house here…yet many issues need to be resolved in this place. We have small land, no good drinking water, no proper toilets, drains are overflowing and diseases spread easily"* (Umma, field interview, 2010).

This was a common issue for both the IDPs and the host community; government interventions in this regard are important.

The issues of employment, housing, education, and health are core issues to successful integration. This also results in the fundamental question of entitlements and common expectations within the host community. If the IDPs want to integrate within the host community, what are the standards and expectations of the host society that provide a basis for cohesion? This leads to the foundation for the integration case – citizenship and rights (Ager and Strang, 2008:8).

The issue of citizenship

The issue of citizenship is well-emphasized by Brun (2003): "the Sri Lankan state is not able to provide for equality and participation in society for its citizens, when these citizens have moved out of administrative regions…" As most of the IDPs still vote for their districts of origins, they face immense problems in administrative issues of property rights and often conflict on access to livelihood, education, and social security in the host areas where IDPs seem not to be entitled for the same rights as the hosts. The hosts had to struggle for scarce resources in Puttalam while the IDPs had to struggle with their position and rights (Brun, 2003).

The question of citizenship has implications to the process of integration. The issue of citizenship is closely tied to the labelling process of IDPs. The understanding of the term IDP was based on the 'category of need' created by the aid agencies and the government. They were, in turn, also considered as 'out of place.' This created difficulties for the IDPs in accessing services due to their restriction of citizenship rights outside their administrative regions.

Yet these rights should be seen in the context of the rights of the hosts. Do the hosts have obligations to accommodate the IDPs, especially in a context where there is an influx of IDPs and an immense sharing of resources? It is in this context that the issue of integration should be addressed (Brun, 2008).

It is in these contexts, that interventions by aid agencies and state are important. The economic development of this area is crucial. Furthermore, the role of the government and aid agencies in providing equal opportunities for both the IDPs and hosts is essential in the integration process. Many also observed the aid agencies' variations in their treatment for the IDPs (Hear and Rajasingham, 2009:60-64) and this has impeded the process of integration. [13]

As integration entails development, the role of aid agencies and the government is crucial in this process. As highlighted by Fazna:

> *"We are IDPs now. This should change. From my childhood I have been an IDP. We have been using the resources that belonged to the IDP since the 1990s to the present date. The government is responsible for development initiatives that will help us to live here as well as the host"* (Fazna, field interview, 2010).

When the public outcomes (employment, housing, education and health) are identified at one end and the foundation principle of citizenship at the other end, it becomes important to understand what connects the two ends. These connectors include the facilitators or barriers which play a driving role in determining the depth and the quality of relationships between the hosts and the IDPs (Ager and Strang, 2008:177).

The connectors facilitating the integration process

The connectors between the host and the IDPs can be considered their shared ethnicity, language, and religion (Shanmugaratnam, 2000:10), even though there were slight differences in the dialect of the spoken language. The degree of linguistic and religious similarity is the psychological compatibility between the host and the IDP population and a significant factor in local integration as in the case of northern Muslim IDPs in Puttalam (Fielden, 2008). The long-term displacement has resulted in a blend of culture, a process of assimilation of cultural values such as clothing and practices. Many interviewees preferred the strong cultural values of the Muslims in Puttalam. As Mansoor states:

> *"We have adopted the strong religious values that were present in Puttalam. For example, the wearing of the Hijab[14], reading Quran everyday etc. In the past, we were not very strong in such values"* (field interview, 2010).

Cultural adaptations were found among the hosts, too, as viewed by Riyaz:

> *"When the IDPs came to Puttalam, some of the women were well literate, and there was a pushing urge for education among women and children. In Puttalam women were not much into education. The education among IDP women did influence the women from the host to pursue on education"* (field interview, 2010).

Another 'connector' facilitating integration relates to the feeling of 'belongingness'— how the IDP felt that he or she belonged to this place. This includes the links with families,

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[13] See Hear and Rajasinghamin (2009) on the variation of responses such as the frequency and duration of displacement, geographical proximity to conflict, and institutional variations.

[14] The Hijab is the head cover worn by women in accordance to the Holy Quran of the Muslims.

trust, and friendship with the hosts, and social bridges such as IDPs' participation in all aspects of the development of the community with the hosts (Ager and Strang, 2008:208).

At present, the IDPs are de facto integrated in the District of Puttalam. This is mainly because the displaced have made Puttalam as their home, which is an appropriate condition for local integration (Brun, 2008). Furthermore, the younger generation has adapted to a place and may like to be integrated, as stated by Niyaz:

> *"I was born here and I have never gone to Mannar. All I knew of the home in Mannar was through stories told by my parents. I can only tell about being here. I love this place. This is my home and I belong here"* (field interview, 2010).

The process of acculturation is prevalent wherein the younger generation of the IDPs acquires cultural patterns because of intercultural contacts with hosts in Puttalam. These could be psychological adaptations or socio-cultural adaptations. Hence this generation of IDPs has acquired the culture and lifestyles of their hosts or vice versa; that makes them integrated into the society of Puttalam. Yet they may not be completely free from the feeling on 'non-belongingness' if they are subject to discriminations of various forms in Puttalam (Saito, 2008).[15]

As a result of staying in one place for a long time, connections are built in the community. Many cannot part with the newly-built web of relationships. At the same time, they cannot detach their relationships with their origins. In cases like these, some IDPs have opted for both. Their preference is to remain in Puttalam, while having properties in their places of origin.

Hence integration is dependent on the development of the socioeconomic conditions that would facilitate livelihood opportunities, medical services, and education for the IDPs. It is the lack of availability of land for economic activities, the lack of livelihood opportunities, the poor medical services and poor infrastructure that exacerbate tensions within the IDP and host communities. As both the communities struggle to share their limited resources, there is a need for economic development initiatives in Puttalam.

5   The case for return

The right to return is based on the premise that it is a human rights issue. The cause of forced migration is essentially a human rights violation wherein the response would be to rectify the fundamental abuse caused by the eviction. In the context of northern Muslim IDPs, the forced eviction itself is a human rights violation where the reason for flight was for survival. Hence eviction is a fundamental deprivation of homeland, which comprises personal and collective identities (Frelick, 1990).

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[15] See Saito (2009) for a similar process of acculturation among children of Afghan refugees in Pakistan and Iran.

According to Article 13(2) of the Universal Declaration of Human Rights, both the right to leave and the right to return are enshrined. This highlights the fundamental nature of the 'right to return.' The right to return is a viable durable solution for the northern Muslim displaced persons in Puttalam. The right to return as a durable solution is emphasized in the Guiding Principles on Internal Displacement (Section 5).

In the context of the right to return, the Internal Displacement Monitoring Centre (IDMC) (2009) states as follows:

> *"International law not only specifies the forced and arbitrary transfer of populations as a crime against humanity, but also provides for a remedy for the persons victimized by these forced transfers. Persons forcibly transferred from their homes in violation of international standards are entitled to return to their home areas and property, a right known as the 'right to return'"* (IDMC, 2009).

Analyzing this from a human development point of view for the IDP, with regard to the right to return, Section 5 acknowledges the basic fundamental civil and political rights and the economic and social rights of the returned. This fundamental right is of such value that it takes into account the fundamental deprivation of home that is embedded in the heart of the personal and collective identities of the northern Muslim IDPs. This right allows the IDPs to return to their homes of origin and to live there in peace and security. This origin is the place of their ancestors, their culture and their heritage (Frelick, 1990). The success of return can in turn be an indicator of post-conflict progress towards development goals and the 'extent to which civil-state relations will be repaired in the post-conflict period' (Petrin, 2002:5).

As emphasized by Hasbulla (2007b), a holistic approach to the right to return recognizes the following six factors: (1) the participation of IDPs in policy-making– this includes IDP participation in regard to the process of how they would return and reintegrate in their places of origin; (2) the issue of security, which in a post-conflict context entails the relationship between the other ethnic groups in the area and the returnees– here the IDP fears would be regarding whether they would be included in decision making through participation in civic life, contributing to their development; (3) the aspect of restitution, wherein preparatory measures such as regaining assets and properties that were lost and left behind would be noted; (4) the aspect of resettlement and integration wherein there would be coexistence among communities– this includes peace-building work among Tamil and Muslim communities; (5) reparations that would take into account compensation for the properties owned by the IDPs, and; (6) justice and acknowledgement of the plight of the northern Muslim IDPs (Hasbulla, 2007b).

In 1991, the northern Muslim IDPs started returning to their homes. This was a year after their forced eviction from the north. These IDPs returned only to the areas cleared by the government. In 1992, between five and seven percent opted to return to their homes in Mannar Island and in the Vavuniya district. The option of return gradually became more possible in 1994 with the peace talks between the government and the LTTE. Furthermore, the military victory in 1995 in some parts of Vanni and Jaffna peninsula encouraged many IDPs to return to their homes. In 1998, a small number of IDPs returned to Jaffna town. Upon their return, many IDPs faced problems such as security restrictions and in some cases, problems relating to ownership of property in Jaffna. From

2002 to 2006 with the cease fire agreement, some of the IDPs returned to their homes (Hasbulla, 2001:71). Some did come back as they had lost their properties and did not have conditions to facilitate their return. With the war resuming again in mid-2006, many feared returning to their homes. In 2009, the end of the war presented an immense need for durable solutions, wherein the need to return was more pronounced.

This also brings up the issues of 'safety and dignity' in the process of return. The two cornerstones of a dignified return are redress and choice. Hence, the connection of dignity, safety and the voluntary nature of reparation lies within the centrality of choice to dignified. Thus, an IDP's choices depend on the accessibility of each of the durable solutions (Bradley, 2007). As stated by Fienberg (1970), redress is mainly achieved through dignified reparation processes whereby the IDP has the ability to make claims against the state.[16] Reparations include restitution, compensation and other form of redress such as trials and apologies for past atrocities. This includes transitional justice, which is essential for achieving reconciliation by addressing past injustices and restoring the dignity of those whose human rights are violated (Peled and Rouhana, 2004). Transitional justice is essential for stability and sustainable peace in the post-conflict context (Mobekk, 2005).

Hence the challenges present in the right to return can arise in the following areas: discrimination, a lack of economic opportunities, a lack of basic infrastructure such as roads and schools and a lack of public services such as health care and education. Furthermore, is the need for reconciliation initiatives among the IDPs and other communities in the north. These factors pose as limitations to the decisions of the IDPs seeking to return to their places of origin in the north.

Legal frameworks on the right to return

The Guiding Principles on Internal Displacement emphasize that everyone has a right to protection from displacement (Section 2), to protection and humanitarian assistance during displacement (Sections 3 and 4) and a right to return, resettlement, and reintegration (Section 5). Article 13(2) of the Universal Declaration of Human Rights (UDHR) states that "everyone has the right to leave any country, including his own, and to return to his country." The right to return is clearly enshrined in the 1966 International Covenant on Civil and Political Rights (ICCPR) under its provisions on the right to freedom of movement (Article 12). For the right to return to be meaningful, there needs to be guarantees of security (Principle 28 of the Guiding Principles). The properties and lands of the displaced need to be recovered to the extent possible and when not possible, the government has to provide just compensation or reparation (Principle 29 of the Guiding Principles). These responsibilities also extend to an obligation to provide all necessary assistance to facilitate IDPs' reintegration in the community and full participation in public life (Principle 29 and 30 of the Guiding Principles).

The fundamental rights to freedom of movement, as well as the freedom to choose one's place of residence are safeguarded in the Constitution of Sri Lanka. There are no

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[16] The study was applied to the refugee context, which is applicable to the IDP context.

limitations that restrict such freedom of movement within the geographical limits of Sri Lanka. Restrictions are only applied as specified in law in the interest of national security, public order, and the protection of public health or morality.

Furthermore, the Supreme Court has ruled that although the Constitution allows for permissible restrictions to be imposed on the right to freedom of movement and the freedom to choose one's place of residence, they cannot be imposed to the result of denying these rights. Hence the right to return falls under this purview of freedom of movement and the freedom to choose one's place of residence (UNHCR, 2006:12).

Impediments to the process of return

The main obstacle to return relates to the economic and social factors of the places of origin. At present, after decades of conflict, the Northern Province (which includes north-western and the north-eastern districts) is recovering. Nevertheless, this again depends on the political will and initiatives of the aid community. It also raises the question of how much this development would incorporate the people of the communities in the north so that it can generate livelihood options or economic incentives to return to the origins, so that development benefits would trickle to people of such communities, which would gradually help them to rebuild their lives. Government initiatives have not shown such eagerness for this aspect of incorporating the people of the present communities in the rebuilding process.

Being a minority community, northern Muslim IDPs especially in Jaffna would find it difficult to find employment. They will also find it difficult to adjust as minorities (initially before the conflict, the Muslim minorities coexisted well with the Tamils of Jaffna). At present, the situation may be different following the conflict and given the presence of a new generation of people. Various aspects of discrimination were also prevalent among the former IDP returnees to the north. These can pose serious challenges to the reintegration process (field observations, 2010). [17]

Other obstacles may include the weak political structures in the north. A central decision-making system, where power is located at the center can pose serious challenges to administration and decision-making (Phuong, 2000). The devolution of power to the provincial administration units will facilitate development initiatives at the local level.

Political obstruction at various levels can pose serious challenges for the return of the IDPs. This is true in the context of all IDPs, but much more prevalent for the long-term IDPs as political obstruction can be generated through the interests of politicians in power. Politicians' concerns over losing voter bases and the previous election results testify to this fact. As emphasized by Phuong (2000):

> *"Politicians know that the displaced persons are often among the most destitute and are more responsive to nationalist discourses. Thus they represent loyal supporters whom local politicians do*

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[17] Some of the IDPs who had returned to their origins found that they were discriminated against when it came to getting such amenities as electricity or a water supply.

not want to lose. The pressure on potential returnees comes from both sides: the politicians in their own ethnic group who do not want them to leave and the politicians at the receiving end who do not want them to return" (2000).

The need to make return sustainable

Return alone would not result in a durable peace. It should be accompanied with initiatives to promote peace. It is evident that if the issues of sustainability or reintegration of refugee and displaced populations are not addressed properly, there can be conflicts between communities in the places of origin. There is a need for voluntary return programmes that would promote peace (Black and Gent, 2004). The variables that are looked into as influencing factors for the sustainability of return are as follows:(1) the characteristics of IDPs, including age; (2) experiences before eviction and pre-war accommodation, education, employment status and jobs; (3) experiences in the place of displacement, whether they migrated alone or with family, the number of times displaced, the socioeconomic conditions and present employment and livelihood opportunities, education, discrimination faced, and any feelings of belongingness in the place of displacement; (4) conditions for return– the participation of IDPs in the process, and whether return is accomplished alone, with part of a family or with the entire family; (5) the prevailing assistance for return and reconstruction, and; (6) the conditions for reparations and restitution– the decision to return, willingness to return and the reasons for return.[18]

An IDP's decision to return to his or her home of origin after the conflict involves a complex combination of factors. The factors would be based on security, social, economic and political conditions that are faced by the IDP household in their home of origin and the place of displacement. Other aspects that need to be considered are the financial cost of return and the socioeconomic conditions of the household (Shewfelt, 2007). Many IDPs were dependent on the state for reconstruction initiatives to rebuild their lives.

The main challenge to return lies in reconstructing lives in the north. This requires state and other humanitarian interventions. Reconciliation efforts need to look into the aspect of bridging relations between the returnees and the other ethnic communities.

Younger generations of the northern Tamils have no memories or experiences of the formerly multi-ethnic northern communities where Tamils and Muslims co-existed peacefully for hundreds of years. There should be attempts to revive such memories and undertake initiatives to promote the renewal of relationships between Tamils and Muslims (Hasbulla, 2007b).

Furthermore, the right to return in the context of northern Muslim IDPs is dependent on the North East Development Plan. The inclusion of these IDPs in development is important as it helps in their decision-making process of return.

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[18] These variables were designed with slight modifications from the study by Black, Koser and Munk (2004) as cited in Black and Gent (2004).

6   Conclusion

This paper discussed the existing durable solutions also enshrined in the Guiding Principles on Internal Displacement. The durable solutions were integration in the present place of displacement, return to their place of origin or relocation in another place of the country.

As analyzed in this paper, the three durable solutions needed structures and conditions that would support them. Two durable solutions were preferred – the right to return and the right to integrate, with very few expressing a preference to relocate.[19] The core of the choice of durable solutions is IDP participation in the process.

The central lesson drawn from the northern Muslim IDP experience is that there is no single precise durable solution to end displacement. As evident from the surveys, integration and return seem to be the preferred durable solutions. Very few preferred relocation. In some cases, the line between only being integrated or only returning is vague. As the relationship to the places of origin and the relationship to the place of displacement are dependent on the strength of attachment in either place. Hence, some family members would return, while some would stay behind. This would result in a trans-local community moving from Puttalam to the north (Brun, 2008).

As for the IDPs who prefer to integrate to the present location, this option to integrate should be available for them. This includes rights in the present location (Brun, 2008). A holistic and integrated approach is needed and the right to return will require the recognition of many factors that should be set in place so that return is a sustainable durable solution. These included:(i) IDP participation in policy-making that would determine how return and reintegration could take place; (ii) security, such as lands cleared from landmines; (iii) restitution, including taking preparatory measures such as regaining assets and properties that were lost. In some areas, other people have been possessing lands which originally belonged to the northern Muslims. There should be efforts to trace and restore land to their original owners or measures that would adequately compensate them; (iv) steps to reintegrate the communities, including appropriate measures to build relationships with different ethnic groups. This includes looking into the basic humanitarian needs of all communities; (v) building local infrastructure such as roads, schools, markets, mosques and temples; (vi) furthermore, there should be efforts to rebuild their livelihoods, especially in an area where there were fewer opportunities during the war (Haniffa, 2010).

Finally, respecting the autonomy of the IDPs means that steps should be taken to ensure that both integration and return are viable durable options and that the IDPs should be able to freely choose between them. Furthermore, any measures undertaken to provide

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[19] Here, to 'relocate' means relocating to another part of the country.

durable solutions should be identified and prioritized through appropriate consultation with those affected by the displacement. This includes the IDP and the host communities in Puttalam as regards integration, and IDPs and the other communities in the north as regards reintegration.

If the conditions as highlighted are met in the provision of such durable solutions, it would eventually lead to an end of displacement (UNOCHA, 2004). The most important concern is the rights of the displaced. This includes the rights in the place (civic, economic, and social rights) in which they are integrated if integration is the preferred durable solution, and restitution and reparation if return is preferred. The paper explored the hypothesis that if the conditions for return or integration are met the result would be the end of displacement in the context of northern Muslim IDPs in Puttalam.

7   Suggestions for future research

The durable solution of the right to return is less explored and needs further analysis to determine the conditions that will facilitate the process of sustainable return. This includes exploring the available initiatives that would facilitate return. Furthermore, this includes the North East Development Plan, including the development initiatives and reconciliation processes for the IDP and other communities in the north-east which are crucial to development initiatives.

Further research should also explore the differences between durable solutions for long-term and short-term IDPs. The contextual difference is important as variations of time can bring in varied challenges that would shape the decision-making process in the choice of durable solution for the IDPs.

Finally there is also the need to explore the context of 'sustainable return,' especially from the IDPs who have returned to their origins and settled there. Their conditions should be understood in order to assess whether their return has been sustainable.

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