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The Socio-critical Study of the Vulnerability of Displaced Women in Post Conflict Era in Sri Lanka

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Abstract:

The conflict between LTTE and Sri Lankan government led to a vast number of economic, civil, political, social, and cultural issues in the country. Women were the severely impacted of the war. During war time and after the war many survived women had to play the role of the caregiver and the head of the household while experiencing violence and exploitation. The objective of this research was to identify the challenges and issues faced by these displaced women after returning to their villages within the post conflict scenario. Mixed methodology was used in this research. 162 families from 06 villages of Jaffna, Kilinochchi, Mannar, Vavuniya, Trincomalee and Puttalam districts were interviewed. Also, human rights monitoring reports, reports from Grama Niladharies, relevant books and research papers were used to get information and for the purpose of conceptual identification. According to the data collected, it could see several issues faced by the displaced women in the post conflict era. Some were living with disabled husbands, some husbands were in detention centres and most women faced land and property issues. Government compensation was not received by these women. Therefore, the family income was unstable, and they had to face livelihood problems as well. Considering the data collected through the sample, the displaced women of these areas faced several problems. They were economically and socially unstable. They have experience violence of the war and suffering with traumatized children. Most of their marriages have happened to avoid the imposed recruitments to the Vanni war.

Keywords: Displaced women, government compensation, post-conflict era, violence

1. Introduction

Sri Lanka has been suffered from a conflict between the Government and the Liberation Tigers of Tamil Eelam (LTTE) for more than 25 years. It has resulted economic, civil, political, social and cultural devastations. As a result of armed conflict, it was witnessed a significant growth of continuous displacement making more than a million of internally displaced persons. Some of them got displaced within the district, some were forced to leave the district and some of them got refugee in India and western countries. It is progressing with settling the IDPs (Internally Displaced Persons) and returnees bringing them back to normalcy and having provided them a 'life with dignity'.

Direct involvement of males in a conflict in the form combatants or victims of missing and disappearances results in increasing the female population in conflict affected areas. With the absence of male body in the household, female is forced to bear the burden of the family. Having to play the role of survivor and caregivers of their families many of these women are imposed with the responsibility of the head of the household. Hence, they are compelled to fulfill the duty of sustaining their families yet without enough food, secured shelter, basic services and livelihood. Being displaced from one place to another from time to time, they do not have enough security or privacy in welfare centers, relocation villages and resettlement villages. Hence, they are exposed to violence and exploitation. Witness of violence and hardships coupled with forced family responsibilities have resulted in causing psychological trauma. The field study mainly focused on the vulnerability of displaced and returnee women given special concerns to the female headed families¹. The primary objective of this paper is to explore and evaluate existing situation of displaced and returnee women in selected villages and assess the challenges of return, reintegration and reconciliation in post-conflict scenario.

2. Methodology

The mixed methodology was used in this research. Considering the information received from the Grama Niladharies, available human rights monitoring reports and reported field information, 162 families, as the sample, were interviewed in 06 villages in Jaffna, Kilinochchi, Mannar, Vavuniya, Trincomalee and Puttalam districts in March and April 2011. Out of which, 117 families [72 %] in Kilinochchi, Mannar, Vavuniya and Puttalam districts were taken as a sample of returnee village and 62 female headed families [28 %] were selected as the sample in Jaffna and Trincomalee districts.

¹For the purpose of this study 'Women headed families' are define as the families that manage by widows, women separated from their legal marriage, divorcees, single women, women of husbands who are away from the house because of detention / missing and women of husbands with disability and sickness etc.

Two case studies also have done. In the qualitative part of the research, the government reports, relevant book and research papers were taken.

District	DS Division	Name of the Village	Total Families	Size of the Sample [Families]
Jaffna	Sandilipay	Saavalkaddu returnee village, Annaikoddai	846	20
Kilinochchi	Karachchi	Malayalapuram returnee village	521	42
Mannar	MadhuAGA Division	Keerisuddan returnee village	38	35
Vavuniya	Vavuniya North	Veladi Resettlement village, Olumadu GN division	70	20
Trincomalee	Muttur	Kaddaiparichchan returnee village	219	25
Puttlam	Kalpitiya	Askarnagar relocation village	96	20
Total			1790	162

Table 1

3. Results/Discussion

3.1. International and Domestic Legal Framework

In keeping with the commitment made in the Constitution, in 1981, Sri Lanka ratified the Convention on Elimination of all forms of Discrimination Against Women [CEDAW]. Sri Lanka is also a party to a number of international conventions including International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) which promote protection of rights of women. In 1993, Sri Lanka signed the Vienna Declaration on the Elimination of Violence Against Women setting out the country's focused commitment to fight against gender-based violations. Moreover, Security Council (SC) Resolutions 1325 and 1820 focus especially on women's experiences in armed conflict and those are to empower decision-making process, at all levels, in conflict prevention, conflict resolution and peace building in addition to reducing gender-based violence. The Guiding Principles on Internally Displacement (GPID), although it is not legally binding, serve as international standards to guide State and non-state actors, as well as humanitarian and development agencies, in providing assistance and protection. They also reflect and are consistent with international human rights and humanitarian laws.

IDPs particularly those living in conflict affected areas, faced range of restrictions in enjoying rights guaranteed under the 1978 Constitution and other basic services available to other citizens. In these circumstances, respect for human rights becomes a key factor in the search for durable solutions to Sri Lankan IDPs and returnees. Gender equality and non-discrimination of women is a guiding principle of State machinery in Sri Lanka. In Article 12(2) set out the principle of non-discrimination on ground of sex. Article 12(4) further provides for affirmative action for advantage of women.

In 1978, it was established the Women's Bureau of Sri Lanka, the first ever national level institution for women which comes under the purview of the Ministry of Child Development and Women Empowerment. The Bureau is mandated to develop, implement, monitor, evaluate and coordinate the policies and programmes for the realization of women's rights. Concerning on mainstreaming gender and minimizing gender base discrimination and violence against women; Sri Lanka Women Charter, as the first positive response of the government to secure the rights of women, was adopted in 1993 and is the main policy statement of the Government. The National Committee on Women was established in 1993 with the objectives of forming women friendly society that is equal and devoid of violence. Setting up the Women and Children Desks in Police stations all over the country was another positive administrative arrangement initiated towards addressing gender-based violence. The National Child Protection Authority presently comes under the purview of the Ministry of Child Development and Women Empowerment. Human Rights Commission of Sri Lanka was established under the Act No. 21 of 1996 with the mandate of promotion and protection rights of people. In addition to that there are several central and provincial institutions and programmes are for the betterment of women.

3.2. Women in Post Conflict era

3.2.1. Female Headed Families

These female-headed families are socially and economically extremely vulnerable in conflict situation and post conflict era and they face many difficulties in their day-to-day lives. These women have not only been affected by the violence but also, they have witnessed the loss of their loved ones. At the same time, they also have to support financially and emotionally and nurture similarly traumatized offspring.

It was found 40 female-headed families [34 %] in the 117 samples in Kilinochchi, Mannar, Vavuniya and Puttlam districts and 159 [15%] female-headed families in selected two villages in Jaffna and Trincomalee districts. 26% of the sample in Malayalapuram in Kilinochchi is female-headed families. Out of which five are widows, 2 are separated and 4 husbands are in detention. It was revealed that 50% of the sample in Veladi Resettlement village, Vavuniya is also female

headed families. In Askarnagar relocation village in Puttlam 75% of the interviewed families are female headed families. When considering the age of those women in Askarnagar, 26.5 % are age of 18 - 40, 26.5% are age of 41 – 60 and balance are over age of 60. In Keerisuddan returnee's village, Mannar it was reported 11.5 % of female headed families.

3.2.2. Marriages, Divorce, Separation and Deaths

In Veladi Resettlement village in Vavuniya most of the married women are young and they got married to avoid forcible recruitment in Vanni at the time of armed conflict. Due to the lack of women empowerment activities in the village young widows and abandoned young women face many social problems. Malayalapuram GN Division, Kilinochchi out of interviewed 42 Families 24% is only legally married and the balance 76% had cultural marriages only. In Saavalkaddu village, Jaffna out of 20 interviewed families; husbands of 09 widows were naturally died, husbands of 04 families were shot dead in 1996, one died due to Cyclone, husbands of 05 families died due to the armed conflict and one separated family. Those women forced to be the breadwinners of those families. Out of 40 female headed families in Kaddaiparichchan return village, Trincomalee 19 [47.5 %] widows have lost their husbands during the armed conflict and none of them received compensation for the death of their husbands due to unavailability of death certificates and lack of awareness on compensation procedures. It was found two female headed families consisting of 04 members and both of these women are separated from their husbands. In one family, the marriage was not registered and presently they find difficulties to get maintenance for the children. In other case, though they have the marriage certificate she was not aware how to get divorce and maintenance.

3.2.2.1. The Story of a Woman in Veladi Resettlement Village, Vavuniya

A 32 years old mother of three children who does not want to reveal her name in Veladi resettlement village lost her husband and two children with the age of 11 and 5 during humanitarian operation in Vanni. She did not get compensation for death neither registered for compensation. She lives in her husband's land in a temporary shelter and is doing labour work. Though she does not have any support for children's education she stated it is her priority. It was observed that they; mother and child have gone mentally traumatized having seen deaths of family members and it was revealed that they take treatments from the hospital for depression and nervousness.

3.2.3. Life with Disability

Disability brings additional burdens to most of the families, especially to the female-headed families. It was found that some of the families are running by the female head because man is disable due to natural cause or armed conflict. Some female headed families are there with disable members. There are 08 [6.1%] persons having disability in 07 (20%) families in the village out of which 04 are due to the armed conflict in Keerisuddan returnee's village, Mannar. Out of which, 02 girls of 2 years old and 13 years old are disabled by birth. There are 04 male disabled due to armed conflict. No any compensation provided to these disabled by the government. And no application called or submitted to the relevant officials to get the compensation. Also, it was found that other than one disabled person they do not know about the available government packages or services for disabled persons. 04 Disabled persons were assisting devices by the Handicap International (02 weal chair, supportive stick, 02 comet chairs). The research team was able to trace that 30 [9.31%] persons out of 322 villages of 91 families are living with disabilities in Naranthanai north – west [Tahmpaddy] in Kays, Jaffna.

3.2.4. Wives of Husbands in Detention Centres

It was revealed that 2.5 % of the sample is consisting with the wives whose husbands are in detention and due to that those families have become female headed families. There are two women of Veladi Resettlement village, Vavuniya whose husbands are in detention centers and they have access to the detainees. Out of those two women, one of the women is doing labour work and other one is doing self-employment as their occupation. 04 [20%] Woman of Malayalapuram GN Division, Kilinochchi became female headed families because husbands are in detention center and both of them visit their husbands in twice a month. In both the cases in Vavuniya and Kilinochchi, due to the lack to awareness on available institutions and programmes, they do not get any monitory assistance or free legal aid from any organization.

3.2.5. Land and Property Issues

Armed conflicts and displacement give birth to many land and property issues. Most of the occasions, it can be seen only physical settlement not social and economic establishment with the return process. In generally, no access to their land and properties, destruction of land and property, loss of legal documents, lack of transferring legal ownership and lack of access to legal services are the common issues in post-conflict era.

The study found 6.8% of families without land and 20.4 % families without legal documents for their properties. A remarkable finding is 50% of the sample in Jaffna still living in damaged house.

It was revealed that 21 [60%] returnee families of Keerisuddan returnee's village, Mannar had permanent shelters before displacement, but after the return it was found that all were fully destroyed and it was reported that up to now there is no any steps taken by any actors for returnees' property restitution or compensation. 02 young widow families out of 04 widow families (50%) do not have legal document for their land. But these families were given temporary shelters by the Caritas- Vavuthayam. 75% the families have own lands with legal documents in Veladi resettlement village,

Vavuniya. Only 25% of families have permanent shelters and the balance 75% families live in temporary shelters. Those 75% of families applied for compensation and registration for housing scheme too and waiting for responses.

It was found that nearly 25% of the families of the Kaddaiparichchan returnee village, Trincomalee facing problems without the land documents to prove the legal ownership of their land. 50% of them lost their land documents during the continuous displacement since 2006, and others have not applied for the documents due to lack of knowledge regarding importance of the land documents and the procedures to renewal. 05 [20%] female-headed families in Askarnagar relocation village, Puttlam do not have lands and live in their closed relations' lands. All the other families have 10 perches permit lands. Indeed, it was found that 96 displaced families in this village have taken this land from person who had a permit on an agreement signed before a lawyer. Though they were given houses under the World Bank housing project they are not given electricity because they do not have legal ownership. In Askarnagar village 35 % [26% FHHF] has temporary shelters, 45 % [53% FHHF] semi-permanent shelters and 20% [21% FHHF] have permanent houses. Further out of 20 families 18 families wanted to settle in this location and 2 families wanted to be relocate elsewhere.

3.3. The Story of a Woman in Keerisuddan, Mannar

This lady, 27 years, in Keerisuddan, Mannar lost her husband at Pokkana in Mullaitheevu due to shell attack during the humanitarian operation, in April 2009. She was unable to register the death of her husband while she was in Vanni. She lost all her personal documents including educational certificates. Jayaseela was hosted at a welfare centre in Vavuniya.

Two years later, she returned back and she was given Non-Food Relief Items (NFRI) and Rs: 25,000.00 as a resettlement allowance. Following that the government provided dry rations for six months and a sewing machine by a nongovernmental organization as livelihood support. But she is unable to earn by tailoring because most of the families were given sewing machine in that village. She earns Rs 3,500.00 per month by teaching at a nursery school in the village. While Jeyaseela face many difficulties, she takes her child for vaccination to the regular clinic centre at Murunkan which is 45km away from her village. After returned back, Jeyaseela was living with her mother and presently she occupies a crown land and seeks for a permit.

3.3.1. Family Income

In Saavalkaddu village, Jaffna women are the breadwinners of the families and they are selling firewood, some of are doing poultry farming, selling vegetables, etc. as their source of income. In their village, there is Women development Committee and with the assistance of the committee they have a system of savings money and give loans for self-employment.

In Malayalapuram, Kilinochchi, out of 11 female headed families 4 have source of income, 2 women are engaging in labour work and rest of them doing small scale business. All of these families have paddy land but they are not cultivating. Women who don't have income sources depend on dry ration and assistance from their relatives. It was found that female headed families in Veladi Resettlement village, Vavuniya do not have proper income sources and they are working as daily wage labours only in the harvesting season. All the villagers expressed that low income is the main challenge of their children's education. In Askarnagar relocation village, Puttlam 75% of the interviewed population there is two female-headed families whose husbands have left them recently do not receiving dry rations. 10 women receiving Rs. 100.00 of Public Monthly Allowance provided by the Department of social service. In one-woman headed family, in Kaddaiparichchan returnee village, Trincomalee living with four children and husband is living with disabilities. It was found that they do not receive livelihood/ living or medical assistance.

4. Conclusion

Considering the data collected through the sample, the displaced women of these areas faced several problems. They were economically and socially unstable. They have experience violence of the war and suffering with traumatized children. Most of their marriage have happened to avoid the imposed recruitments to the Vanni war. Some have lost their husbands, some husbands were disabled, and some husbands were in detention centres. Women has faced many land and property issues after the war. The main issue that we could identify was these women did not receive the government compensation, no savings, and livelihood problems. It is necessary to focus on these major issues and implement the prevention strategies for these issues. It can conclude that the displaced women in the post conflict ear were facing severe conditions in their lives, and the government has not given proper attention and care for them.

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